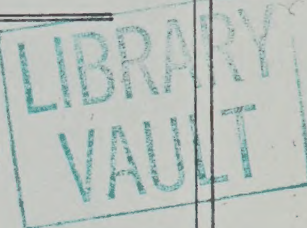




IN THE MATTER OF The Public Inquiries Act, being Chapter 258 of The Revised Statutes of Alberta, 1955, and Amendments thereto; and,

IN THE MATTER OF an Inquiry by a Royal Commission into the matters set out in Order-in-Council 861/67 respecting the use or attempted use by the Honourable Alfred J. Hooke of his office as a member of the Executive Council of Alberta, and the use or attempted use by Edgar W. Hinman of his office as a member of the Executive Council of Alberta.

PROCEEDINGS BEFORE
THE HONOURABLE MR. JUSTICE
W. J. C. KIRBY



C. W. CLEMENT, Esq., Q.C.,	Commission Counsel
S. A. FRIEDMAN, Esq., Q.C.,	Departments of Government
S. H. McCUAIG, Esq., Q.C.	E. W. Hinman, Esq.
L. MAYNARD, Esq., Q.C.,	The Honourable Alfred J. Hooke
W. B. GILL, Esq., Q.C.,	G. A. Turcott, Esq.
	Mr. Neil Reimer
G. A. C. STEER, Esq., Q.C.	Dr. C. A. Allard
D. H. BOWEN, Esq., Q.C.	Liberal Association of Alberta
N. S. CRAWFORD, Esq., and	Progressive Conservative Party of
J. D. HILL, Esq.	Alberta
G. S. D. Wright, Esq.	Alberta New Democratic Party

W. ALAN SHORT, ESQ.,
Clerk to the Commission.

VOLUME No.45.....

DATE November 30th, 1967

(Pages 4802 - 4926)

IN THE MATTER OF The Public Inquiries Act, being Chapter 258 of The Revised Statutes of Alberta, 1955, and Amendments thereto; and,

IN THE MATTER OF an Inquiry by a Royal Commission into the matters set out in Order-in-Council 861/67 respecting the use or attempted use by the Honourable Alfred J. Hooke of his office as a member of the Executive Council of Alberta, and the use or attempted use by Edgar W. Hinman of his office as a member of the Executive Council of Alberta.

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Supreme Court Reporters
EDMONTON, ALBERTA

I N D E X

V O L U M E 45

November 30th, 1967

WITNESSES:

ALFRED JOHN HOOKE (Recalled)

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A. J. Hooke - Will do.

EXHIBITS before The Honourable
 Mr. Justice W. J. C. Kirby, this
 29th day of November, A. D. 1967,
 at 9:30 o'clock in the morning, at
 the Court House, the City of
 Edmonton, Province of Alberta.

EXHIBITSV O L U M E 45November 30th, 1967

MR. CLIMENT:

are still under oath for the purpose of this inquiry?

<u>No.</u>	<u>Description</u>	<u>Page</u>
463	Letter to Trowbridge from Hooke, November 28, 1955	4902
464	Letter to Hooke from Bryan Foote, December 7, 1955	4903

MR. CLIMENT:

before I commence the cross-examination on this branch of
 Mr. Hooke, some days ago I asked my friend Mr. Friedman to
 produce a report on the action of Mr. Bickie to the
 Legislative Assembly, March 26th, 1965. Mr. Friedman and I
 saw that that is Exhibit 123, particularly question and
 answer number 21, about the Government's policy in respect
 to Wilfrids.

THE COMMISSIONER:

Yes, Seasonal return dated the

21st of March, 1965.

MR. CLIMENT:

That is the one sir, I have

referred to it in my cross-examination of the witness Mr.

Hooke.

Q

Mr. Hooke:

Mr. Hooke, when did you first meet 1962

at the southwest corner of 17, 33, 25, west of 4th street?

A

I believe it was in August, about August of '61, I think.

Q

I see, this would be after you had met Jack Campbell?

1-P-1

A. J. Hooke - Gill Ex.

PROCEEDINGS before The Honourable
Mr. Justice W. J. C. Kirby, this
30th day of November, A. D. 1967,
at 9:00 o'clock in the morning, at
the Court House, in the City of
Edmonton, Province of Alberta.

THE COMMISSIONER:

Mr. Clement?

MR. CLEMENT:

Mr. Hooke, you acknowledge you

are still under oath for the purposes of this Inquiry?

THE WITNESS:

I do Mr. Clement.

THE COMMISSIONER:

Now, I guess Mr. Gill, you are

still ...

MR. GILL:

Thank you sir. Mr. Commissioner,

before I commence the cross-examination on this branch of
Mr. Hooke, some days ago I asked my friend Mr. Friedman to
produce a return on the motion of Mr. Dickie to the
Legislative Assembly, March 26th, 1965. Mr. Friedman and I
now find that is Exhibit 123, particularly question and
answer number six, about the Government's policy in respect
to Ministers.

THE COMMISSIONER:

Yes, Sessional return dated the

25th of March, 1965.

MR. GILL:

That is the one sir, I have

referred to it twice in discussing the matter with Mr.
Hooke.

Q

MR. GILL:

Mr. Hooke, when did you first look

at the southwest quarter of 27, 52, 23, west of the 4th?

A

I believe it was in August, early August of '51, I think.

Q

I see, this would be after you had met John Campbell?

1-P-2

A. J. Hooke - Gill Ex.

A Yes, it was after.

Q Yes, and as my memory serves me, Mr. Campbell joined Ideal Homes in July 1951?

A June or July.

Q June or July?

A Yes.

MR. CLEMENT: No, '50.

A '51.

Q MR. GILL: '51 Mr. Clement. Is that your recollection?

A Yes, that is right.

Q I think page 22 of the Minute Book of Ideal Homes will show that Mr. Clement.

MR. CLEMENT: I am sorry.

Q MR. GILL: Who put you in touch with Weber Brothers Mr. Hooke, Kaplain himself?

A No I did not know Mr. Kaplain at the time.

Q Mr. Whitla I understand took you out?

A That is right.

Q And introduced you to Mr. Kaplain?

A Yes.

Q And then the matter of ...

A No, pardon me, he didn't introduce me to Kaplain, Kaplain was not there.

Q I see?

A No one was there that day.

Q The first time?

1-P-3

A. J. Hooke - Gill Ex.

A The first time.

Q And then you went out again, did you?

A No, that is the only time I saw the place until after the transaction had been consummated.

Q I see, did Weber Brothers come into the picture through you or through Mr. Whitla or whom?

A No, I made ... first of all I made it plain to Mr. Whitla that the only way I could possible purchase a place like that would be to dispose of my home in the City in which I calculated I had approximately a \$20,000.00 equity.

Q This was the house near the Charles Camsell Hospital?

A Yes, that's right. So, I inquired in two or three places as to who might be knowledgeable in farm mortgages and received information that Weber Brothers, especially Mr. Weber senior had been engaged in that sort of business for many years and he would perhaps undoubtedly be the best man in the City of Edmonton to contact first so, I made contact with Mr. Weber.

Q You approached Mr. Weber senior?

A Yes I did.

Q So, early on in Volume 2, page 127, Mr. Kaplain was giving evidence and Mr. Weber told him or suggested that he come out and take a look at the farm, this is Kaplain's evidence on page 127 and Mr. Clement asked

"And he did that and you met him on that occasion --" meaning yourself.

" A I did.

1-P-4

A. J. Hooke - Gill Ex.

Q (Cont.) " Q And what took place then Mr. Kaplain?

A I showed him all through the farm and around the farm --- he informed me after looking over the place that even though he would like to buy it he had absolutely no money;"

I am just shortening up his answer.

" The only money he had was an equity in a house out near the Charles Camsell Hospital and I don't remember what the conversation was about that, but I suggested he go back and see Weber Brothers, which evidently he did."

Now, is Mr. Kaplain mistaken on that?

A A little bit of that is correct. Mr. Gill, I think perhaps Mr. Kaplain may have thought at that point he was stating the facts because certainly when I did ultimately see him he did show me around through the farm buildings but, this did not occur before I had been to Webers. It was only after he believed that the transaction had been consummated, that a sale had been consummated. I did not see Mr. Kaplain for a long time.

Q I see, and there was some mix-up about the price on the property, you thought you were going to pay \$42,500.00 or forty-five thousand?

A No, I was agreeable from the beginning, after I had seen the property, to the price which was mentioned by Mr. Whitla. I felt that the property was worth every penny that was being asked for it.

1-P-5

A. J. Hooke - Gill Ex.

Q And that was how much?

A \$50,000.00 but it was Mr. Weber himself, first of all I should say Mr. Whitla said he felt quite sure on the basis of a cash offer it could be purchased for less and it was when I spoke to Mr. Weber that he said now, let me handle this deal with Shep and I will get you the farm for less because Shep is in difficulties at the moment, financial difficulties. He said he has a problem with the Income Tax people, he owes us about \$30,000.00 for money that we have advanced for the sale of his automobiles. Mr. Kaplan ran a used car lot at the time. I will be very happy to handle this thing for you.

Q And so finally it was that on about the 22nd of October, 1951 under Exhibit 129 you entered into an agreement for sale to buy the property from Weber Brothers?

A I am not sure of the date but if you have it there sir it is right.

Q The date is the 22nd of October?

A Yes, it is in there all right.

Q And the price was \$50,000.00?

A That is right.

Q The down payment was \$2,500.00, it says here, did you actually put any money down?

A I borrowed the \$2,500.00 from Mr. Weber himself.

Q I see and then there was a matter of a chicken house or something that had burned, do you remember that?

A Yes I do. It had been burnt prior to this time, I believe

1-P-6

A. J. Hooke - Gill Ex.

A (Cont.) the chicken house was burned down in July. As a matter of fact, somewhere I have a record of the date but, it was in July.

Q Before you looked at the property?

A Before I ever knew of it, sir.

Q I see, and then also you turned in your equity on the house at 12806 113th Avenue, Edmonton, for \$20,500.00, is that correct? That is the figure here.

Q That must be right, I thought it was something less than that at the time we got through.

Q It hadn't been sold and this says if the property sells for more than twenty thousand five hundred then any excess went to you?

A Yes.

Q And if it sold for less it shall be credited to the purchaser on account of the purchase price and the purchase price reduced by that amount?

A I think that's correct.

Q So, when did you go into possession of the property?

A We moved into the house on the 10th of November, 1951.

Q I see. Can you explain to the Commissioner sir why on the 25th of September Mr. Johnson as he then was, H. G. Johnson it looks like, filed a caveat on your behalf, on the 25th of September, 1951, Exhibit 126, sir?

A Yes, I remember the circumstances surrounding this fairly well Mr. Gill.

Q Well, that was before actually you signed, nearly a month

1-P-7

A. J. Hooke - Gill Ex.

Q (Cont.) before you signed the agreement for sale?

A Yes, that is correct.

Q How did that happen, sir?

A An understanding had been reached by me and Mr. Weber in connection with the purchase of the farm and evidently the understanding that he and I had was conveyed by him, by Mr. Weber senior, to Mr. Kaplain in the presence of Mr. Kaplain's lawyer then Mr. Horace Johnson, now Justice Johnson, and something went wrong in the interim in that Mr. Weber appeared to have changed his mind concerning finishing the transaction.

We were invited out to see the place by Mr. and Mrs. Kaplain, when I say we, I mean my wife and I, and we went out that particular evening. Mr. Kaplain believing that some sort of an arrangement had been entered into by me and Mr. Weber. His understanding was exactly the same as mine, that I was to turn in the equity in my home and so on and so on. So, when I explained to him that actually in the last two or three days there seemed to be a change of heart so far as Mr. Weber was concerned, that he was backing down from what he had said and that he was asking me now for about \$27,000.00 cash which I couldn't possibly do. Mr. Kaplain said well, there is something wrong about this and I will call my lawyer which he did right from his home at the time that evening.

Q And that was Mr. ...

A Horace Johnson.

Q ... Johnson?

1-P-8

A. J. Hooke - Gill Ex.

A Yes. So, he introduced me on the telephone to Mr. Johnson who I did not know at the time. Mr. Johnson asked me if I would drop in the next morning and see him and he said I am fully aware of what the terms of this transaction are to be because after Mr. Weber discussed it in my presence with Mr. Kaplan I took the details down in order to take care of Mr. Kaplan's interests, so you had better simply allow me to place a caveat on your behalf on this property until this thing is settled. We perhaps could have settled it more quickly had it not been for the fact that I was going to Portland, Oregon, at the time and would be away for a matter of two or three weeks.

Q The caveat reads that you claim an interest in the land, the registered owners being Weber Brothers, they having purchased the land from the previous owner as agents for and on behalf of the caveator?

A Yes.

Q You felt that Weber Brothers had acted throughout as your agents?

A That is certainly the understanding Mr. Gill.

Q And they bought for \$42,500.00?

A So I understand.

Q And sold to you for fifty thousand?

A That seems to be the facts.

Q You were a little unhappy at that increase, were you not?

A No, as a matter of fact I did not want -- first of all, may I say I was not too aware as to what they had actually paid.

1-P-9

A. J. Hooke - Gill Ex.

A (Cont.) I knew that they had made some money because Mr. Weber said to me at the time, you wouldn't mind Weber Brothers making a little on this would you, in addition to us taking care of Mr. Whitla's commission and I said no, not at all, as far as I am concerned, I am quite happy to pay \$50,000.00 for it providing the equity in my home is taken over and a mortgage which I can handle can be secured.

1-B-1

A. J. Hooke - Gill Ex.

Q I notice in your letter to Weber Brothers of September 17th, '51, Exhibit 142, you talk of price, you say:

"I was prepared to pay forty-five thousand for the farm ..."

and earlier you state that you were surprised when Jack, that would be Jack Weber,

"... quoted me a sale price of \$47,500.00."

so I suggest you weren't particularly happy when Weber Brothers suddenly bought and then changed around?

A No, I say again I had never objected to the fifty thousand, I certainly felt the property was worth it.

Q I see.

A Naturally I would have been happier to have received it at a lesser figure, but -

Q This quarter section had a checkered history with you right from the beginning, did it not, Mr. Hooke?

A Yes, it did.

Q Mr. Campbell was advising you at this time?

A No, not at all, Mr. Gill.

Q Page 137, Mr. Kaplain being examined by Mr. Bowen, was asked a question, or asked a question:

"Was there any discussion between you ..."

meaning Kaplain and Mr. Hooke,

"... and Mr. Hooke or any of these other Cabinet Ministers of a satellite town?

A Yes, Mr., now, I am not sure here, because by this time Mr. John Campbell had introduced himself.

1-B-2

A. J. Hooke - Gill Ex.

Q (Cont.) Q And who is he, do you know?

A Well, the way he represented himself to me was that he was working for Mr. Hooke.

Q I see?

A But I'm not sure whether it was Mr. Hooke that came out with this satellite town, that it would be an ideal location to put one one, or whether it was Mr. Campbell, I can't remember, sorry.

Q Now, was this conversation prior to the possession and sale to Weber Brothers?

A Yes, the farm had been sold, I hadn't given possession yet."

That is Mr. Kaplan's evidence, so according to his evidence, Mr. Hooke, as early as before possession, which I think you told us was November of 1951?

A The 10th.

Q November 10th, the matter of a satellite town at least proposed by Mr. Campbell, if not with you in the background, was already afoot?

A I had never heard it expressed by anyone, Mr. Gill, I can assure you, and I have never been near Mr. Kaplan at the time, did not know him, did not know of the existence of the farm, I had never been in the Salisbury district.

Q Well, it is November 9th, 1951, one day before you go into possession, that Mr. Campbell writes the Municipal District of Strathcona and proposes this town, you are aware of that now, are you not?

A. J. Hooke - Gill Ex.

A If you say that is on record, but so far as I am concerned I repeat again, I had absolutely no part of it and no knowledge of it.

Q May I see Exhibit 158 and 159, please? Here is Exhibit 159 which is a letter from Mr. Campbell bearing the date November 9th, one day before you moved in, sir, in 1951, addressed to the Council of the M. D. of Strathcona, and he says:

"On behalf of myself and my associates I request your approval of a proposed townsite located in your municipality ..."

and he gives the location, the whole of Section 27, 52, 23, 4; is that correct Mr. Hooke?

A That what's this says, but I still maintain, sir, I was absolutely ignorant of it and knew nothing of it whatever.

Q And Mr. Campbell was by this time the Manager and a shareholder and Director of Ideal Homes?

A Well, he was a shareholder at any rate by that time.

Q I believe his evidence to us was that he came in as Manager, would that be correct?

A That could be correct.

Q And then on page 146 of the transcript in Volume 2, Mr. Wright is examining Mr. Kaplain:

"A This is the original quarter section that Campbelltown was first started on."

That is the answer, and the question:

"Q Yes, and it was not until after you had signed the documents of sale and completed the sale except for

1-B-4

A. J. Hooke - Gill Ex.

Q (Cont.) giving possession that Mr. Campbell appeared and talked, and there was talk of making a satellite town?

A Yes, I hadn't given possession when Mr. Campbell appeared."

And then it appears that the Campbells and the Kaplains went to the wrestling, fairly friendly, later on. He tells of Campbell saying:

"A And it was just a few months after this that he ..." meaning Campbell,

" ...told me, ..."

Kaplain,

" ...that he had got the whole quarter section subdivided." So there is Mr. Kaplan's evidence, Mr. Hooke, and you say that you knew nothing of this?

A Absolutely nothing whatever, and as a matter of fact I doubt very much if some of those statements are correct.

Q I see. Do you know Mr. Holloway?

A Yes, I do.

Q How long have you known him?

A Almost ever since I became a Cabinet Minister I think, because he was an active member of the Civil Service Association.

Q Well, he became Chairman of the Civil Service Commission, did he not, in 19-

A Yes, he did, I can't remember exactly when, but he was active in the Association itself when I first met him, and I had

1-B-5

A. J. Hooke - Gill Ex.

A (Cont.) become Chairman of the Pension Board, Civil Service Pension Board. In that capacity I would meet him as a member of the Association.

Q And you became friendly with him?

A Well, not for quite some time, we became friends later on, that's true.

Q But just at the time that Campbelltown was proposed by Mr. Campbell in November of 1951, looking at Exhibit 389, a chart of Mr. Holloway's activities, and there were many, he is Chairman of the Edmonton District Planning Commission; you were aware of that when you went to see him, weren't you, with Mr. Spady?

A May I have that date again, please?

Q 1951, from this chart it looks as if it is in the spring, May or so of 1951, he becomes Chairman of the Edmonton District Planning Commission, and he remained such until midway in 1953?

A I am not sure whether he had become the Chairman by that time, by the time I went out there and introduced Mr. Campbell to him or not. It must be from the date you have given me, right in about the same time.

Q And Mr. Campbell got to know Mr. Holloway fairly well too?

A Well, I understand so, yes.

Q You introduced them, did you not?

A Yes, I did.

Q And Mr. Holloway did a lot of work on Campbelltown?

A Well, so far as I was concerned, Mr. Gill, I was not aware

1-B-6

A. J. Hooke - Gill Ex.

A (Cont.) as to how much or how little he might have done.

Q You were aware when you were a Cabinet Minister that he was doing work on Campbelltown?

A Well, all that I was aware of actually was the fact that he was the proper man in the Government Service to deal with all such things, and I did introduce Mr. Campbell to him.

Q And he would deal with it as a Government official during the day and on his own time at night he would work on it privately for Mr. Campbell?

A Well, that could be true, but certainly I would not have any knowledge of it.

Q I see, and that is your sworn testimony, that you didn't know this was going on?

A Now, it depends on what you are meaning.

Q Holloway working privately for Campbelltown?

A Well, at that particular time, Mr. Gill -

Q 1951.

A - we as a Government certainly were not strict in connection with what Civil Servants did on their own time, I would not necessarily know whether Mr. Holloway was working for Mr. Campbell or not.

Q I see. When did the Government become more strict about this?

A Well, questions would arise from time to time as to whether Civil Servants should be holding two jobs, especially when there appeared to be a scarcity of employment, but I cannot recall any specific time when the Government became strict

1-B-7

A. J. Hooke - Gill Ex.

A (Cont.) about it. As a matter of fact, I don't think we are too strict about it even yet.

Q Too strict or strict enough?

A Well -

MR. MAYNARD: Very.

A Pardon?

Q MR. GILL: Did you know that Mr. Holloway prepared the plan that accompanied Exhibit 159?

A Certainly not at that time, I didn't. I have become aware of it later.

Q I see, since?

A Yes.

Q Yes. Did you go to Colorado Springs to see Trowbridge initially?

A No, I didn't.

Q You met him when he came up here?

A Yes, that's right.

Q In your office?

A I believe the, my original, my original meeting with Mr. Trowbridge was on an occasion when Mr. George Bryan and he came out to my home.

Q Did you ever meet him in your office as Minister of Economic Affairs?

A I am not, I can't say for sure, sir, whether I did or whether I didn't.

Q You could have done?

A I might have done.

1-B-8

A. J. Hooke - Gill Ex.

Q I see, and how would you describe Mr. Campbell, what was his occupation in the fall of 1961?

A '61?

Q Pardon me, '51, when this was initially started?

A Well, as nearly as I knew Mr. Campbell, and I hadn't known him more than approximately the year -

Q Well, you had been co-shareholders and co-directors for a matter of some months?

A Yes, but I have said before and I say again that my direct association and close association with Ideal Homes was not as close as perhaps it could have been, not by any means.

Q How would you describe Mr. Campbell at that time in 1951, what would he be?

A Well, I looked upon him as a capable man in the capacity of knowing how to build homes and that sort of thing; I didn't know how much experience he had had operating a company of any sort, nor certainly had he ever indicated to me that he had been a land developer. I think I mentioned yesterday or perhaps the day before that this idea, whenever he would mention a town it seemed to me like a pipe dream.

Q And when he was asked by me, page 1067:

"Q Mr. Campbell, would you say that your occupation from 1951 until 1955 was that of a promoter?"
and he answered:

"A Land development promotion, yes, I would."
Now, would you have described him as that?

A Well, by that time -

1-B-9

A. J. Hooke - Gill Ex.

Q No, I am thinking of '51, he is still, according to his evidence -

A In '51 I certainly would not have, Mr. Gill.

Q On the same page of his evidence he says:

"A Yes, I was Manager of Ideal Homes and Building Supplies Limited for a period of that time."

and you don't recall that he was the Manager?

A I do recall that he was the Manager but I don't recall just when he was because there were some changes in there.

Q Well, did you discuss with Mr. Campbell the Celanese projected plant in connection with your quarter section?

A No, I certainly did not.

Q And when Mr. Campbell says, page 1072:

"A The interview with Mr. Maynard and seeing Mr., being sent to Mr. Hooke's office was before I joined Ideal Homes.

Q I see, and did you discuss then the matter of the Celanese projected plant and the Sherritt Gordon projected fertilizer plant, you discussed that with Mr. A. J. Hooke?

A I believe it was mentioned..."

Now, would that be correct?

A After it had become public knowledge, Mr. Gill, that the Celanese plant was coming in there was no doubt about the fact that many many people mentioned it. There was even, strange as it may seem today, quite a bit of opposition in the City of Edmonton to the plant coming anywhere near the

1-B-10

A. J. Hooke - Gill Ex.

A (Cont.) place.

Q Now, who approached who in the matter of Campbell and yourself, did you approach him or did he approach you?

A In what connection?

Q In connection, first Ideal Homes and then this matter of the townsite?

A Well, may I repeat again, that when Mr. Campbell first came to me it was with a view to finding out whether or not the information I had concerning Central Mortgage and Housing was such that there was any sense in him endeavouring to secure the assistance of this corporation for the building of approximately a hundred homes in the Clover Bar area, that was my first association with him. He was referred to me indirectly from Mr., The Honourable Mr. Tanner.

Q So that he met you because you were Minister of Economic Affairs?

A That's right, and it was, I was the Government contact with Central Mortgage and Housing.

Q And later you became in effect partners, both shareholders and both Directors of one little company?

A That's right.

Q And do you not find it an odd coincidence, Mr. Hooke, that at the time he joins Ideal Homes you buy the Kaplain quarter section, and in November of the same year it is proposed as a townsite, you don't think that that is a pattern?

A No, it certainly was not.

Q You didn't plan this?

1-B-11

A. J. Hooke - Gill Ex.

A Didn't, I am sorry?

Q Plan?

A I should say not.

Q By buying the quarter section you would put a town on it?

A Anything but, I wish I had that quarter section today.

Q So that when Mr. Campbell says in answer to a question, page 1069:

"Q How do you explain the fact that you were with three family members in Ideal Homes, and you weren't related?

A I don't even try to explain it. They approached me and let me know, who was in it, and because I was building houses at that time and having, and so on and so forth, they requested and asked me if I would come into the company on account of the little bit of knowledge I had."

Is that correct evidence?

A When he says "they" -

Q Meaning -

A I think -

Q - the two Hookees and Spady, as I understand it?

A Yes, that is true, I think that Mr. Spady, after becoming acquainted with Mr. Campbell, and both building homes, asked me if I thought it would be all right if Mr. Campbell was invited to join Ideal Homes; and I think I have already said that he required someone with more knowledge than he had himself in this business.

1-B-12

A. J. Hooke - Gill Ex.

Q May I have Exhibit 432, please, Mr. Short?

Did you have anything to do, Mr. Hooke, with the awarding of contracts for the sewer system in Sherwood Park?

A Not that I recall anything about, Mr. Gill.

Q Well, did you or did you not?

A Well, I would say that I didn't.

Q And what about any other of the contracts that went with the development of Sherwood Park, had you anything to do with those?

A I had nothing to do with them.

Q I see, and what was your final profit, do you think, from the quarter section that you bought, have you worked that out?

A Well, I bought it for \$50,000.00, paid a fair amount of interest on top of that; during the time that I farmed it, of course, I borrowed money; when I sold it it was sold on the basis of one hundred and forty acres at \$500.00 an acre, which would be \$70,000.00, and the twenty acres which were retained for a number of years, until 1958, were sold for \$2,000.00 per acre.

Q Well, Volume, or at least Exhibit 432, produced, by I think it was Mr. Robinson, shows \$109,930.00 as a profit on that particular deal.

MR. MAYNARD: No -

A That is a sale price I presume, isn't it, Mr. Gill?

Q MR. GILL: No, there is one hundred and seventy-seven thousand, there is a difference, and I see a figure

1-B-13

A. J. Hooke - Gill Ex.

Q (Cont.) here one hundred and nine thousand, nine hundred and thirty, so that it looks as if it was one hundred and ten thousand?

A A hundred and ten thousand would be the sale price, Mr. Gill.

Q I see.

A One hundred and forty acres at five hundred is seventy thousand, and twenty acres at twenty, forty thousand.

MR. MAYNARD: At two, twenty acres at two.

A Twenty acres at two, what did I say?

MR. MAYNARD: Twenty.

A Twenty acres at two thousand.

Q MR. GILL: All right, you accept Mr. Maynard's arithmetic?

MR. MAYNARD: It was his own evidence earlier, Mr. Gill.

MR. GILL: Well, I just wondered if we had a difference in arithmetical calculations since the last time.

Q MR. GILL: Well, I take it when you say then that you wouldn't want to sell it if you had the doing of it again, that you would want to make more money out of it, is that why you wouldn't want to sell it now?

A No, I would prefer to still farm.

1-M-1

A. J. Hooke - Gill Ex.

Q I see. You're a farmer at heart, are you?

A Right.

Q You may get that opportunity, sir.

A Well, I hope I do, but not by the method you may be suggesting.

Q You took the method, sir. Well, getting back, if we may, to the inquiry: Mr. Holloway apparently had a series of little diaries, and at page 614, in 1953, there is one, on December 14th, a note:

"Campbelltown confirmed by approval of Provincial Cabinet."

Now, do you remember anything about the circumstances of that approval, without telling us what went on in cabinet?

A No, it's pretty dim in my memory. As to what actually happened.

Q Well, Mr. Holloway must have had some intimation from the cabinet in order to make that note in his diary?

MR. CLEMENT: Well, that's not necessarily so.

MR. GILL: Well, I'm asking this witness, not you, Mr. Clement.

MR. CLEMENT: I am pointing out the form of your question, Mr. Gill.

A It's difficult for me to answer it, Mr. Gill: I would only be guessing.

Q MR. GILL: I see.

A And I would rather not guess.

Q Well, first, Mr. Holloway's diary -- do you doubt the note

1-M-2

A. J. Hooke - Gill Ex.

Q (Cont.) or did he just make that out of whole cloth?

A I wouldn't want to say -- I wouldn't like to say that. If a man keeps a diary --- I have an idea, if it is a day-to-day entry -- .

Q And Mr. Holloway is an honourable man?

A I always found him so.

Q He gave his evidence in a straightforward manner?

A Yes.

Q And he would have no reason to make a false insertion in his diary, would he?

A Well, I shouldn't think so.

Q Also his diary had the interesting note:

"August 12th, 1954 -- "

and this was the matter of Strathcona coming out of the Edmonton District Planning Commission ---

"new schmozzle over Campbelltown -- "

and the next words ---

"Maynard intervening."

Now, were you in the City in August of 1954?

A As nearly as I recall, I would be part of the time. I do know that I was in Calgary for a fair amount of the time during August of that year, preparing for the Jubilee of Alberta the next year, 1955.

Q That note was at page 617, Mr. Commissioner. Did you know anything about Mr. Maynard intervening in Campbelltown?

A No, I don't, Mr. Gill.

Q Do you recall discussing the problems of Campbelltown with

1-M-3

A. J. Hooke - Gill Ex.

Q (Cont.) any of the councillors of the M.D. of Strathcona in the summer of 1954?

A I have some recollection of our local councillor, Mr. Adamson, talking about the development out there.

Q And complaining about the Edmonton District Planning Commission?

A No, I don't think he was doing that particularly.

Q Well, did you discuss Campbelltown with Mr. Maynard?

A No, I did not.

Q Did you discuss the M.D. of Strathcona getting out from the Edmonton District Planning Commission -- .

A No.

Q -- with Mr. Maynard?

A Not at all.

Q Or with anyone else?

A Not that I can recall.

Q Could you have done?

A I can't recall, Mr. Gill, discussing anything pertaining to the Planning Commission until such time as I had that responsibility myself, which was in --- .

Q August 1955, and within one month you signed your own plan, did you not, Exhibit 175?

A As I said yesterday, when a cabinet decision is made on something like this I would have no alternative, as the minister in charge of that department.

Q Do you recall any other plan of a townsite that you did sign in?

1-M-4

A. J. Hooke - Gill Ex.

A No, I don't recall one.

Q The fact that your land was in it was disclosed by you to the Planning Commission, was it?

A I think everyone knew it. I was being blamed all over creation for starting the town, which I had nothing to do with.

Q How much did Mr. Campbell give you for the first option on your quarter section in April of 1953? What dollar consideration?

A I don't remember at all.

Q Was there any consideration?

A Not that I recall. I couldn't say at this moment and be sure that I am telling you the truth, and I don't want to guess and tell you something that isn't factual.

Q Isn't it a fact, sir, that you had a verbal agreement with Campbell from 1951 on?

A No, sir.

Q Well why would Campbell go ahead and do everything he had done without making sure that your key quarter-section was a part of it?

A Well, I believe, Mr. Gill, that that sort of action is common on the part of people who develop land.

Q I suggest it's the reverse, Mr. Hooke: the developer always gets the option, gets the land tied up, and then starts his plan.

A Well, that isn't what I understand.

Q I see; and if you had given your word to John Campbell in

1-M-5

A. J. Hooke - Gill Ex.

Q (Cont.) 1951 that he could have this quarter-section for a townsite, you wouldn't break it, would you, Mr. Hooke?

A No, if I give my word to anyone I won't.

Q I suggest, sir, that you did give your word to Campbell in November of 1951.

A I'm sorry, Mr. Gill, I did not.

Q You have the actual option agreement of April 4th, 1953?

A No, I don't.

Q There is only a reference to it in the Exhibit 460?

A Yes; as a matter of fact I have made every effort to see if anyone else had it so that I could refresh my memory on it and give it to you here, but I haven't been able to locate it.

Q Didn't the -- well, it's not a matter of didn't --- Exhibit 460 states that your option agreement with Campbell of April 4th, '53, was extended to the 1st of June, 1954. Is that correct? There was an agreement of the 8th of April, '54, and the option was extended to the 1st of June, '54?

A Yes, if it states so in this document, this is true.

Q Weren't you aware that the options with Smeltzer were also about to expire in approximately late August of 1954?

A Well, I know that in the first instance they took place rather close to each other; consequently, any extension would do the same, I am sure, if the options were drawn up in the same way and for the same length of time.

Q Well, wasn't it a fact that the options were about to

1-M-6

A. J. Hooke - Gill Ex.

Q (Cont.) expire with the Smeltzer's; yours had expired; and that the M.D. of Strathcona was encouraged to get out of the Edmonton District Planning Commission? Wasn't that---?

A I wouldn't say that. I don't know how they were encouraged to get out, or who would encourage it. They were discouraged, I think, with the operation of the Edmonton District Planning Commission and wished to get out, but as I believe I said yesterday, that was not uncommon because they were not the only ones displeased with the operation of what had become the first district planning commission in Alberta's history.

Q Isn't it a fact, sir, that once Campbelltown was subdivided and the plan filed and the townsite assured, while the M.D. of Strathcona was out of the Edmonton District Planning Commission, then by 1956 they were trying to get back in again?

A I think that is a factual statement that you have made, but--.

Q Well, you actually sat on the Provincial Planning Appeal Board that heard their application to come back in?

A Yes, that perhaps is true. If it's in that document, then it is true.

Q Mr. Maynard was kind enough to bring this document yesterday--.

A Yes.

Q -- June 28th, 1956, 3:15 p.m., present: Honourable A. J. Hooke, Chairman; Messrs. Morrison, Lester, Holloway and Lash -- and item 6 is an application by the M.D. of Strathcona to rejoin the Edmonton District Planning

1-M-7

A. J. Hooke - Gill Ex.

Q (Cont.) Commission.

A What date is that?

Q June 28th, 1956.

A Yes.

Q And you also had a recommendation that the government grant \$2,754.00 to the Edmonton District Planning Commission as a contribution to the -- that the government grant a matching amount and no consideration was to be given to the fact that they had paid their contribution on the year they withdrew from the Commission. Is that correct?

A It must be, sir, if it's in that document. I made sure that -- so far as my connection with the Planning Commission is concerned, all -- .

Q Well, sir ---.

A -- facts pertaining to them be made known to his Lordship.

Q Yes, and this was a handy device, sir, was it not, that the M.D. of Strathcona get out of the Edmonton District Planning Commission, develop Campbelltown, and then get back in?

A Well, I can't say that, Mr. Gill.

Q I see.

A All I know is they were dissatisfied -- .

Q Didn't that come about -- .

A -- the same situation existed north of the river, in the district north of the river.

Q But no town was involved there?

A No, but just the same they were having a lot of dissatisfaction,

1-M-8

A. J. Hooke - Gill Ex.
- Bowen Ex.

A (Cont.) and they were discussing getting out of the Edmonton District Planning Commission, too; in other words, the Planning Commission was certainly having its growing pains.

Q Did they get out?

A I don't recall that they did.

Q I suggest, Mr. Hooke, that the idea, the genius of this idea came from my friend Mr. Maynard.

A Well, I would certainly say that that is not correct, Mr. Gill.

Q Thank you.

THE COMMISSIONER: Mr. Bowen?

MR. BOWEN EXAMINES WITNESS:

Q Thank you, sir. Mr. Hooke, going back for a moment to the first talks you had with Mr. Campbell concerning a satellite town, I understand that you thought he was talking about Bremner or Clover Bar as possible sites. Is this correct, sir?

A Yes, I know he was, Mr. Bowen.

Q Now, I suppose there was discussion also about the general area east of the City, in the vicinity of these new plants, was there?

A I think that's right, and the reason I know that is the fact that there was some question being posed by engineers as to the source of water supply. I believe that the City of Edmonton had made it plain that they were certainly not interested in selling water outside of their own

1-M-9

A. J. Hooke - Bowen Ex.

A (Cont.) boundaries.

Q Now -- .

A And suggestions were made that a water supply could be found at Cooking Lake and that Boag Lake be used as a reservoir. I recall that very distinctly.

Q Did you discuss this aspect of it with Mr. Campbell in any way?

A Not that I can recall.

Q Well now, were your discussions with Campbell as to a possible site of a satellite town restricted only to Bremner and Clover Bar?

A Well, so far as I am concerned I had very little discussion with Campbell on anything of this nature.

Q Oh, quite, but would you answer my question? Were they, whatever discussions you did have, were they restricted to Bremner and Clover Bar?

A Well, certainly in the early -- early part of this they were, Mr. Bowen. I don't know when there might have been a suggestion of some alternate site to those two.

Q Was there any discussion initially between you and Campbell as to access -- that is, transportation and so forth, from the City of Edmonton to any proposed satellite town?

A Not that I can recall at all.

Q Was there any discussion of the Salisbury area, between you and Mr. Campbell, initially?

A Well, if there was I certainly don't recall it.

1-M-10

A. J. Hooke - Bowen Ex.

Q It's quite important, sir, that you do recall it, if you can.

A Well, Mr. Bowen -- .

Q You recall Bremner and you recall Clover Bar. Now, surely you would recall Salisbury if it were discussed, sir.

A I want to answer your questions, sir, just as factually as I possibly can.

Q That is the standard we expect here.

A I know that's right, and I remember that I am under oath and I don't want to say something which -- that I will have to retract. I certainly don't want to do that, and I don't want to appear as though I am hedging on your questions, because I won't do that if I can possibly help it; but when you ask me if there was a discussion concerning Salisbury or any other site, I do not think Salisbury was ever mentioned. I can recall a further away -- or a farther away site being tentatively suggested as somewhere between the South Cooking Lake Village and the Boag Lake area.

Q Which would be the area generally east of where Sherwood Park is located today, sir?

A Yes, it would be.

Q So that there was some discussion, at least, of an area east of where Sherwood Park is today?

A I can recall that, yes.

Q And yet you don't recall any question or any discussion of the Salisbury area?

A No, I don't.

1-M-11

A. J. Hooke - Bowen Ex.

Q Now -- .

A I have made the explanation, so far as I am concerned -- .

Q Sorry.

A -- that I went out there to farm and not to see any part of this becoming a townsite.

Q Again you are anticipating -- .

THE COMMISSIONER: Mr. Bowen, for my benefit as a Calgarian you might indicate what you're talking about when you talk about the Salisbury area, because it doesn't convey anything to me.

MR. BOWEN: Quite, sir. Perhaps -- well, I think I can tell you where it is.

THE COMMISSIONER: It's just a matter for the record.

MR. BOWEN: It is the general area of Sherwood Park, sir, yes, and I think Salisbury Corner was originally just west of Sherwood Park.

A One mile.

Q One mile, right. Did this discussion as to satellite towns take place at Mr. Holloway's home?

A Well, not when I was there, there was certainly no talk that night of any satellite town.

Q Was it night or afternoon, sir? I understood it was in the afternoon.

A No, it was in the early evening.

Q I see. I think you told us that you often went with people in the course of your duties as Minister of Economic Affairs to do things in the evening, if you could, for them; is that

1-M-12

A. J. Hooke - Bowen Ex.

Q (Cont.) correct?

A I didn't say "often" but on occasions I would, if it suited their purpose better.

Q Was this unusual for you to take Mr. Campbell and Mr. Spady to Mr. Holloway's home?

A Well, I hadn't done it before, as far as taking those two gentlemen to Mr. Holloway's home.

Q Had you -- .

A So it was unusual in that way.

Q Had you done a similar thing with other civil servants?

A Oh, yes, sure.

Q You had?

A Yes, I had.

Q And this was to assist the citizens of the province, was it, sir?

A Well, I always hoped so.

Q Now, ordinarily you would advise them to see this particular civil servant in his office, would you not?

A Yes, ordinarily.

Q And was there any particular reason then that you did not do it in this case?

A I may even have done that, Mr. Bowen, in the first instance.

Q Now, did you have in October, 1951, a meeting in your office with Mr. Campbell and Mr. Holloway?

A No, I would say no to that.

Q Did you meet with Mr. Campbell and Mr. Holloway in the Government Buildings in 1951 in anyone's office?

1-M-13

A. J. Hooke - Bowen Ex.

A Well, that's hard to answer. I just don't know.

Q It is possible you did?

A Well, it's just as possible that I would do that as I may have met with you and someone else and still couldn't remember.

Q Quite. Do you recall at any time in 1951 Mr. Campbell suggesting that your land be used for this satellite town?

A Not in 1951 I can't.

Q Do you recall him pressing you to use it?

A No. Any time that he ever said -- that he ever spoke to me, he would say it jokingly:

"That place that you've got" --- or "Section 27 would
a great townsite,"

and so on.

Q All right, when did he first -- ?

A And I think I would say, "Over my dead body!"

Q And when did he first say this?

A That I can't recall.

Q Did this --- .

A When you get to know this man you know he does a great deal of kidding.

Q Oh, quite; I appreciate that, sir, but when did he start kidding on this with you?

A I don't know for sure.

Q Would it be in 1951, sir?

2-P-1

A. J. Hooke - Bowen Ex.

A Again I say I am not being factual if I say yes or no because I just do not know.

Q It is possible then it was in 1951 that he kidded you about using your land for a satellite town?

A It might have been possible say after I had moved out there or something that he may have said that.

Q So, the suggestion was there?

MR. MAYNARD: Well now, wait a minute Mr. Bowen the man said it was possible and now you are trying to establish it as a fact.

THE COMMISSIONER: I don't think you can convert a possibility to a fact that it was.

MR. BOWEN: Perhaps sir the witness could answer that instead of my learned friend Mr. Maynard.

MR. MAYNARD: Well, I don't want you to put words in the witness' mouth he has never said Mr. Bowen.

Q MR. BOWEN: What is your answer to the question?

A Would you ask it again please?

Q I am afraid I can't.

A Now whose memory is bad.

Q Was there a suggestion by Mr. Campbell then that your land be used for a satellite town?

A I don't recall any suggestion other than just some sort of an offhand joke.

Q Well now, let us get it, was it a joke or was it a suggestion Mr. Hooke?

2-P-2

A. J. Hooke - Bowen Ex.

A Well there again Mr. Bowen I am sorry I can't answer you yes or no.

Q Can you paraphrase what he said to you? Can you tell me approximately what he said to you?

MR. CLEMENT: Well, I do think Mr. Maynard's point is fairly well taken, sir. Now he is trying to paraphrase something the witness doesn't remember but which he acceded might possibly have happened.

MR. BOWEN: Well now just a moment sir, I take exception to that. My memory is that this witness did say that Mr. Campbell jokingly suggested that his land in Sherwood Park be used for a satellite town.

THE COMMISSIONER: Yes, that is ...

MR. MAYNARD: It was possible.

THE COMMISSIONER: I think Mr. Bowen is correct there, perhaps you can have the reporter read it but, I think you are correct Mr. Bowen as to what was said. Perhaps the Court Reporter can give it to us so that we can see whether we are talking about possibilities or something that was said.

MR. BOWEN: Well, let me start over again.

THE COMMISSIONER: I believe, my recollection is the same as yours, Mr. Bowen.

MR. BOWEN: Let me start over again and I will try to satisfy both of my friends here.

Q MR. BOWEN: Was there a suggestion made by Mr. Campbell that your land be used as a satellite town?

2-P-3

A. J. Hooke - Bowen Ex.

A Well, I certainly don't recall it as a suggestion at that time at all Mr. Bowen.

Q All right, do you recall any reference by Mr. Campbell to such a thing being done?

A I can't think of a specific time but I do know that perhaps once or twice he made what I considered to be a sort of a wise crack because he knew perfectly well what I thought of that quarter section and what my desires were and I rather felt he was ribbing me a bit because I say he is good at that sort of thing, when he would say, now, this would make a good townsite, this area through here.

Q So, finally we are getting to what he said, this would make a good townsite, this area through here? Is that right?

A I am sure he must have said something like that because, as I say, I took it entirely as a joke because he knew beyond any shadow of a doubt that as far as I was concerned, I wanted no part of any townsite taking my quarter section.

Q We have the strange situation then Mr. Hooke of him jokingly saying this land would be good for a townsite, of you saying, no sir under no circumstances and yet him applying to the Municipal District of Strathcona in November of 1951 to include your land in a townsite. Am I wrong in my contention here, sir?

A No, from what I have read, you are correct, he did such a thing but he certainly did it without my knowledge Mr. Bowen.

Q You have told us sir that you had no desire to subdivide this

2-P-4

A. J. Hooke - Bowen Ex.

Q (Cont.) property, you wanted a farm?

A I certainly did.

Q Why then did you sell it?

A I did not subdivide that area at all, that farm.

Q Why then did you sell a portion, namely one hundred twenty acres?

A Well I felt I was really, to use a colloquialism, over a barrel as it were.

Q Tell us about this barrel if you would sir?

A I think I have to say first of all, if we are going to tell this whole story, that when industrial promotion became a fact in Alberta it was my responsibility as Minister of Economic Affairs to devise a means of carrying out a real promotion program and this commenced actually in 1946. From time to time it looked as though it was possible that an industry might be interested in this particular area I would bring it as nearly as I possibly could to the attention of City officials that it was possible that certain industrialization would take place and it seems very strange today, knowing the circumstances today, this long after, twenty-two years later, to believe that the official view in Edmonton at that time was, industrialize Alberta we will be right with you but, don't bring them near us, we are perfectly happy as we are.

I can remember going, for instance, to Mayor Parsons and suggesting to Mayor Parsons quietly that in my view the time was ripe that they should be asking for the annexation of

2-P-5

A. J. Hooke - Bowen Ex.

A (Cont.) additional land for industrial purposes. I remember also when the Canadian Chamber of Commerce had an annual meeting here in Edmonton that I represented the Provincial Government and Mr. Parsons represented the Civic Government. In addressing that gathering I spoke of what looked like the industrialization of this Province on a rather rapid rate and I can almost remember word for word what the Mayor said when he got up and that was this, that so far as -- he started first by saying this is neither the time or place to take issue with the Minister of Economic Affairs but I do want to say this that we wish him well in industrializing Alberta and then turned to me and said but please Mr. Minister we have got all the smog we want at this moment, we don't want any industries out anywhere near the people of the Highlands, our number one residential area, please keep them away from us, we want no part of it. As I say, that isn't the cry today but, it was the argument then.

Q Do I take it then sir the idea was to get your people out of the City, is that it, away from the smog? I am sorry to interrupt you but I think we could progress a little faster on this.

A Well I understood ...

THE COMMISSIONER: I think we are getting a little far afield here, let's get back on the track.

MR. BOWEN: I feel so, however, I don't want to interrupt him, My Lord.

2-P-6

A. J. Hooke - Bowen Ex.

A What I just said certainly had a bearing on the feeling which was rampant at that time.

When I said a moment ago that I felt as though I were over a barrel, I mean what I said in this way, that it appeared that the County of Strathcona was going to have to be in the business of servicing the industry that was coming in and I was in the position of being one of those and, perhaps the main one in the Province for endeavouring to bring industry into Alberta yet, as a private citizen I felt I had the same right as anyone else and had a right to retain my farm but it seemed as though I was standing in the way of progress if I would not go along with what seemed to be the desires of the Council at that time so I felt my position to be rather an embarrassing one.

Q Of course, any applications to the M.D. of Strathcona or any application to the Government or the Edmonton District Planning Commission was done without your knowledge was it not Mr. Hooke?

A May I get that again please Mr. Bowen?

Q Were not the applications made by Mr. Campbell covering your land...

A Done without my knowledge?

Q MR. BOWEN: ... amongst others and the applications to the Edmonton District Planning Commission covering your land amongst others done without your knowledge?

A This is right.

Q So suddenly you found yourself in front of a fait accompli,

2-P-7

A. J. Hooke - Bowen Ex.

Q (Cont.) that it was passed, that it was going to be a town and it covered your land, is this correct?

A '53 it is different, I thought you were talking about '51. When the application was first made.

Q Well right, but suddenly you find there is a town there, is this correct?

A Well, as I understand it, an okay was not given until what, 1954.

Q '54, sir, that is correct?

A I think that is right.

Q But you found yourself in any event in the position of having your land set up within a proposed satellite town and up to the time you were given an option you had no realization that your land was included, is this what you are saying?

A That is right.

Q And at that time you suddenly thought as a public spirited citizen and in view of your stand with the City, you would have to go along with this, is this what you are saying?

A Well that is about it, I couldn't see much alternative.

Q Right, there were tens of thousands of other acres in that vicinity were there not Mr. Hooke, of land?

A Yes, that is right and I have always said I wish they had found them.

Q You felt your land was essential for the progress of Sherwood Park and therefore you sold it? Is that what you are saying?

A No sir.

Q Well sir, what are you saying in this connection?

2-P-8

A. J. Hooke - Bowen Ex.

A I think I have said it several times already Mr. Bowen.

Q You could have kept your land couldn't you? You could still be farming it today could you not, sir?

A I suppose in the strict ...

Q There would be no additional taxes?

A ... sense of the word, perhaps I could.

Q Your taxes wouldn't have gone up if Sherwood Park had built around you, would they?

A Not because Sherwood Park had built around me, that's right.

Q So there would be no disadvantage from a monetary point of view in maintaining your farm on the southwest of 27, would there?

A Well, there were certainly no advantages in selling it either, sir.

Q Oh, I can see \$64,000.00 worth of advantage, sir?

A Well I can't.

Q That is what you made as a profit did you not?

A I cannot see that.

Q Mr. Maynard shakes his head, perhaps he would like to get into the arithmetic here.

MR. MAYNARD: Well yes with \$110,000.00 expenses, the auditors have given evidence as to the profit that was made, it was not sixty-four thousand.

Q MR. BOWEN: The auditors agreed with me sir that the profit on the sale to Sherwood Park was sixty-two thousand, I stand corrected, after expenses and after calculating the loss of your house, would you agree with it?

2-P-9

A. J. Hooke - Bowen Ex.

A I am not going to disagree with the figures of an auditor, sir, that is sure.

Q Good. Did you talk to -- did you wish to say something Mr. Maynard?

MR. MAYNARD: No, no, just interested.

Q MR. BOWEN: Did you talk to, before 1953, before April of 1953, did you talk to any of the employees or officers or councillors of the M.D. of Strathcona concerning this proposed satellite town?

A I wouldn't like to specify a date or even the year 1953 Mr. Bowen.

Q I don't want to confuse you sir, my reason for saying April of '53 is the time you signed the first option I believe?

A I can remember one evening when I believe three men were present at my home. Mr. Smeltzer, Mr. Adamson and I think the other was Mr. Campbell but I can't swear to that but I know that those two were present.

Q And the only one of those who is connected with the M. D. was Mr. Adamson?

A That is right.

Q Did you speak to anyone else in the M.D.?

A I can't recall having spoken to anyone else that early, only later on when the thing became a fact.

Q In this same period, had you talked to anyone in the Provincial Government employ concerning this town?

A Do you mean again about April of '53?

Q Up to that time or prior to that date?

2-P-10

A. J. Hooke - Bowen Ex.

A I can't be sure here.

Q You don't recall?

A No I don't.

Q Did you speak to Mr. Holloway after the first meeting at his home that you have described, concerning it?

A I don't recall that I did.

Q Did you speak to any other Cabinet Minister prior to April 1953 concerning Campbelltown?

A I believe that I expressed myself on one occasion to the late Mr. Gerhart.

Q Would you care to tell us what that was about or do you recall?

A No I don't particularly, other than the fact that I would -- did not want to see a town in my area.

Q Would another reason

A There again, I was not trying to influence him one way or another either.

Q Mr. Gerhart was Minister of Municipal Affairs at the time?

A Yes he was.

Q And you expressed a desire not to have a town around you, is that right?

A Yes I did.

Q What was your purpose in talking to Mr. Gerhart on this particular subject?

A I think perhaps he may have mentioned it to me.

Q Was it because he was Minister of Municipal Affairs and Minister in charge of these things, more or less?

2-P-11

A. J. Hooke - Bowen Ex.

A It perhaps could have been. I don't recall the details Mr. Bowen.

Q Any other Cabinet Minister?

A Not that I know of.

Q Were you anxious at all Mr. Hooke that there would not be any or, that you would not be accused of using your influence to get this town in this particular location which happened to include your quarter section?

A I am sorry, I missed the first part of what you said.

Q Were you anxious or any anxiety on your part that you would be accused of influence, of using your office to get this town where it was put?

A I don't think that entered my mind. After this became a known fact that there was going to be a town out there I do know that I was being accused of being the real promoter of the town.

Q Right, right, and with this in mind you still went ahead and sold your property and acquiesced in the development, is this correct?

A With this in mind did you say?

Q Yes, with this knowledge that you were being accused?

A I still have to come back to what I said before.

Q Well Mr. Hooke, I feel that I have given you a straight question and I feel that if you go off on a tangent ...

A I am not trying to go off on a tangent Mr. Bowen.

Q All right?

A I said I felt I had no alternative. The plan was laid out

2-P-12

A. J. Hooke - Bowen Ex.

A (Cont.) which covers the area and as much as I don't want to become a party to it here is a corporate body in this Province asking that this become a reality.

Q Mr. Hooke, do you think Campbelltown or Sherwood Park could have become a reality without the use of your quarter section?

A Well of course it could have been, yes.

Q Certainly.

A And I can also see the headlines in the paper had I taken that attitude.

Q Let's get back, you might have had the headlines sir but you wouldn't be here today if that had been the attitude you had taken?

A I am not so sure.

Q Let's get back to my question, there were people accusing you of promoting Sherwood Park, this was your knowledge at the time, is that right?

MR. MAYNARD: What year are we speaking of Mr. Bowen?

Q MR. BOWEN: He told me, I am asking him is this correct that they said this?

A After it became known that a town was going in there covering a certain area, this is perhaps Mr. Bowen after 1954 when the decision had been rendered by the Planning Commission.

Q All right, were people accusing you of promoting Sherwood Park?

A I would hear it from time to time, the same as one hears any

2-P-13

A. J. Hooke - Bowen Ex.

A (Cont.) manner of rumor.

Q Right, and you were hearing other rumors that it was your position that got Sherwood Park there in the first place?

A Yes, I heard that rumor.

Q Right, and in spite of those allegations and in spite of those rumors you went ahead and you sold your land?

A I reply as I did before, I felt I had no alternative.

Q You told me sir you had the alternative of remaining there and farming it?

A Well perhaps I should say that there were two alternatives but I felt that I had to go along or should go along.

Q The fact that your land, land in your name was part of the application made to the county and to the Government made it possible or, because of that it was possible that the county and the Government board were swayed because you were a Minister of the Crown, would you agree with that?

A Well I don't exactly know what you mean by that Mr. Bowen.

Q Let me put it another way. There is a possibility that you gained an advantage that an ordinary citizen wouldn't gain by reason of the fact that you were a Minister of the Crown?

A I have always found that I have lost as a result.

Q No but you don't follow my question, there is this possibility that your position would affect the thinking of the people who were deciding?

A Well all I can say is there is always a possibility but it can also result both ways.

Q Right, and you were aware of this possibility when you became

2-P-14

A. J. Hooke - Bowen Ex.
- Crawford Ex.

Q (Cont.) aware of Mr. Campbell's application?

A Well, I suppose I would have to say yes to that.

Q Right and yet you proceeded to go ahead and acquiesce in it and sell your land, is this not correct, sir?

A That happened, yes.

Q Thank you kindly.

THE COMMISSIONER: Mr. Crawford?

MR. CRAWFORD EXAMINES THE WITNESS:

Q I wonder if I could ask the Clerk Mr. Commissioner if I could have Exhibit 175.

MR. GILL: I believe it is on the desk in front of Mr. Hooke.

Q MR. CRAWFORD: Mr. Hooke, in your view were there any occasions upon which you used your official capacity in dealing with the Sherwood Park townsite in order to benefit yourself?

A Mr. Crawford, that is something I have been meticulously careful about that I could never honestly be accused of ever having done such a thing.

Q You say that you would have been happy at the time if Sherwood Park didn't go ahead at all, is that a correct statement?

A So far as it affected me personally is concerned?

Q Yes, I meant that, so far as it affected the southwest quarter of Section 27?

A Yes, I would have been happier.

2-B-1

A. J. Hooke - Crawford Ex.

Q And you had a number of reasons had you really wanted to get out of it, I suggest, for telling the promoters that you couldn't go ahead, and I want to suggest to you that you had a staff opinion, Mr. Gertler testified in respect to it, that the proposal for a townsite at that point was not sound, do you remember that?

A Yes, I remember something of that and I recall reading it in the transcript.

Q Wouldn't that have been an ideal opportunity to breath a sigh of relief and say to your friends, Mr. Campbell and his associates, that after all we couldn't go ahead with it?

A I think everytime I heard opposition to it, Mr. Crawford, I breathed a sigh of relief.

Q And -

A I didn't feel that I could take an active part in saying this should not be.

Q Why not?

A I didn't think it was my responsibility.

Q But so far as it related only to your land, why not?

A Well, I did that as long as I felt that I justly could.

Q Did the late Honourable Mr. Gerhart ever express to you that it was difficult for him so long as he was Minister of Municipal Affairs to deal with the whole question of Sherwood Park because of your personal involvement?

A No, he didn't express that to me ever.

Q Do you know that Mr. Lash gave in evidence that that was said to him by Mr. Gerhart?

2-B-2

A. J. Hooke - Crawford Ex.

A Well, I know that, and I also know that Mr. Lash changed all his evidence the next day, or something.

Q If he changed it in that respect, Mr. Hooke, I am not aware of it, but I don't say that that didn't happen. I haven't the text of that particular witness here.

A Knowing Mr. Gerhart as I did I am sure he would have expressed himself very strongly to me as he did on other occasions with different things, and I know he didn't do it in this case.

Q So that as far as what he said to you was concerned, you didn't become aware it was any embarrassment to him to have to deal with Sherwood Park?

A No, that's right, Mr. Crawford.

Q In what capacity, Mr. Hooke, did you sign Exhibit 175 dated September 20th 1955?

A Well, I would sign it as Minister of Municipal Affairs after a Cabinet decision had been given in connection with it.

Q Wasn't it necessary for the Municipal District to sign?

A I don't recall what the circumstances were at that day.

Q I know it says that you were the Minister of Municipal Affairs on there, but, '55 -

MR. MAYNARD: September '55.

Q MR. CRAWFORD: That's what it says.

A September 20th, 1955.

MR. CLEMENT: I don't want to interrupt Mr. Crawford, but it just occurred to me -

A Strathcona has signed.

2-B-3

A. J. Hooke - Crawford Ex.

MR. CLEMENT: (Cont.) - that all that was required then was
Strathcona and the Provincial Planning Board.

Q MR. CRAWFORD: What about the owners?

MR. CLEMENT: Oh, I am sorry.

Q MR. CRAWFORD: Do you recognize the signature on behalf
of the Municipality, I don't.

A No, I can't say that I can read that.

Q Didn't you sign as owner then, Mr. Hooke, because with the
Municipality's signature there I suggest it wasn't necessary
for the Department of Municipal Affairs to sign?

A Well, it must have been or certainly I would not have been
on there as Minister of Municipal Affairs, if it had been
signed as owner it would simply have been "A. J. Hooke"
and that would have been it.

Q Do you know which signature went on first?

A I don't know, but I feel sure that it must have been the
Municipality went, the Municipal one first and then ours
later.

Q Do you agree with me it would be a strong inducement to the
Municipality to sign if your signature was on there first?

A Well, you are asking me to suppose something which I feel
quite sure could not have been a fact, I cannot do that very
well.

Q I don't think there is any doubt, although I admit, Mr.
Hooke, that my question has to be based upon a premise which we
don't know -

A That's right.

2-B-4

A. J. Hooke - Crawford Ex.

Q - but I feel certain that the answer to my question is "Yes", isn't it?

A Well, there is only one thing that I can say in connection with it, and I can't think of any such instance where in my long experience as Minister of Municipal Affairs and I had to sign something jointly with a Municipality, that their signature went on first and then came to us for a final approval, I can't think of one, Mr. Crawford.

Q Do you feel today, Mr. Hooke, that it was a mistake to sign that personally when it could have been signed by an Acting Minister since you were involved?

A No, I don't think so, I think a man is running away from his responsibility if he does something like that and says "Let my Acting Minister sign for me."

Q Just on the point of the decorum of the deed, if I might put it that way, sir, being personally involved and approving it, isn't there something wrong with that?

A Not under those circumstances. Perhaps if it had been my sole responsibility to render decisions, then something you are saying could be a fact; but it was not my sole responsibility. It is a Government decision, and as the Minister in charge, I would really have no alternative. I could have said, as you suggested, "Let the Acting Minister sign it.", but in that case, as I say, I certainly, well, I would feel like a hypocrite.

Q And your evidence is then that the signature was placed on there after a Cabinet meeting dealt with the subdivision?

2-B-5

A. J. Hooke - Crawford Ex.

A Yes, that is certainly true, and this sort of thing happens, of course, in Cabinet decisions all the time.

Q Did you intervene in any way to hasten or assure the granting of the Order-In-Council permitting the Municipal District of Strathcona to withdraw from the Edmonton Regional Planning Commission?

A Not in any way, Mr. Crawford.

Q I believe, if my memory is correct, that this Order was signed by Mr. Maynard?

A I believe that's right, the recommendation for Order-In-Council, he was Acting Minister of Municipal Affairs to Mr. Gerhart.

Q Outside of the Cabinet did you discuss with Mr. Maynard that Order-In-Council?

A No, I didn't.

Q So it is your evidence up to this point, I take it, Mr. Hooke, that in your official capacity as Minister of the Crown, so far as your position as owner of the South West Quarter of Section 27 is concerned, that you did not use your official position to benefit yourself in respect to the Order-In-Council I have just asked you about, or in respect to the signing of the plan that we have looked at, is that correct?

A No, I assuredly did not, Mr. Crawford.

Q Did you use your official position to procure free survey work from a Civil Servant?

A No, not at all, sir.

2-B-6

A. J. Hooke - Crawford Ex.

Q Do you know the value of the work that Mr. Holloway did on the South West Quarter of 27?

A No, I haven't any idea as to the value nor as to the amount or anything else.

Q Today do you have any idea of the cost of survey work?

A Not at the moment.

Q Do you know that many people consider it to be expensive?

A Yes, I do.

Q And I think that that was, if not equally so, it was certainly also the case in the 1950's?

A It may have been, I had no personal knowledge of that sort of thing at all.

Q But you were aware that Mr. Holloway was doing the work?

A No, I can't say that I was aware of that either. I knew that he and Mr. Campbell were together frequently, but as to what transpired between then I didn't know.

Q Looking now at Exhibit 176, Mr. Hooke, it is headed "Excerpt", and it is numbered page 243, " ... of Minutes of ...", and I believe it says " ... Board", and " ... held on January 28th 1957.": I am only going to read verbatim a short part of it.

A Is that from the Minutes of the Provincial Planning Board?

Q I believe that's what it is. The reference that we are looking at now, number 6, and headed "Campbelltown", and I will recall again the date, January 28th 1957, and among other things in it are the following words:

"Mr. Gertler stated that the Commission would be governed

2-B-7

A. J. Hooke - Crawford Ex.

Q (Cont.) first of all by the original approval of the site by the Commission and the approval of the tentative plan for Section 27. If this came to the Commission for general approval of the whole scheme it would have to be treated as new material to be considered on its merits. Mr. Holloway noted that Mr. Hooke's signature on the overall plan represented the Executive Council's approval."

That would be in reference to the plan signed in 1955?

A I would take it so, I don't know at this date what that would mean, but it must have meant that I think. I can't recall ever having signed any other one.

Q That is what I was thinking, that was the only one that was ever signed?

A As nearly as I know.

Q Are we to take it that the members of the Board were not aware a year and a half after the event that that represented the Executive Council's approval or is the, this a matter of Mr. Holloway applying pressure on your behalf?

A Not on my behalf, I can assure you.

Q Did you ever ask him to say anything at all to the members of the Board when he attended meetings?

A Not to help me.

Q Or to take any position?

A No sir, not ever. I think I mentioned before that it was at my own suggestion that I made sure that no Cabinet Minister could sit on that Board.

2-B-8

A. J. Hooke - Crawford Ex.

Q I remember that was a later development, wasn't it?

A After I had had some experience on the Board, I didn't need much to realize that a Cabinet Minister shouldn't be there.

Q You said that you never asked Mr. Holloway to do anything to help you; did you ever ask him to make any other specific representations to the Provincial Planning Board or to the Edmonton Regional Planning Commission in respect of Sherwood Park?

A No, I never did. I swear, Mr. Crawford, that the only connection ever was to introduce Mr. Campbell to him.

Q When you were still Minister of Economic Affairs, Mr. Hooke, did you call upon Mr. Holloway at his home in company with Mr. Campbell?

A Well, that first occasion that has already been referred to is the only one that I can think of.

Q Was that in the spring of 1951?

A It was during the gardening season I know, we caught him gardening at the time, putting his glads out, so that possibly the 1st of June, somewhere in there.

Q And did you say to Mr. Holloway that you had come to ask advice about the establishment of a townsite?

A No, I simply introduced him to Mr. Campbell, let Mr. Campbell do his own talking.

Q What was your interest in a townsite at that point?

A I had none whatever, none whatever.

Q By "interest" I don't mean property interest.

A No.

2-B-9

A. J. Hooke - Crawford Ex.

Q Just, shall we say intellectual interest in it?

A Well, no, I feel sure at that time I had none in any way. If anyone came to me in my capacity as a Minister with a problem, whether it was my Department or some other Department, I would make sure that that individual was steered to the right person, it may not always be the Minister, it could be the Deputy, it could be a branch head; and I think there are people sitting right in this room at this moment who could say that I had done that for them.

Q Do you remember Mr. Lash's efforts to get, if he could, the promoters to change their concept and move it further away to make what he referred to as a more orthodox satellite town concept?

A I am aware of the fact that was a view he expressed, just as to when, again I would not like to pin myself down to a time.

Q Wasn't that another way out, you had Mr. Gertler's opinion of his staff that I have already asked you about, and now Mr. Lash's attempt to get the promoters to change their concept; weren't these sufficient reasons for you to say again with a sigh of relief "I guess we can't build it here."?

A I think perhaps quietly in the back of my mind I thought about it, in other words wished them success perhaps.

Q Did you not express your own views to Mr. Campbell and his associates that you agreed with these objections?

A Well, I didn't feel that that was my responsibility, Mr. Crawford, to be taking sides in a thing like this in which I didn't have a part, and not qualified to speak on whether

2-B-10

A. J. Hooke - Crawford Ex.

A (Cont.) one site or another is the better one for a town.

Q Did you ever put pressure on the Municipal District of Strathcona or on Mr. Adamson or anyone else there at all to urge them to withdraw from the Edmonton Regional Planning Commission?

A Not ever, Mr. Crawford.

Q Did you ever express the view that that would be a desirable thing or a wise thing for them to do?

A No, I surely did not.

Q What was your view on it at the time?

A I had no view in connection with it, I wasn't close to it, as a matter of fact.

Q I wonder if I could have Exhibit 164 please, Mr. Short?

THE COMMISSIONER: I am sorry, I wonder if you could get that Exhibit for Mr. Crawford.

Q MR. CRAWFORD: In the meantime, Mr. Hooke, do you remember Louis Kutt, I think I have said it right.

A He pronounces his name Kutt.

Q Kutt?

A Kutt.

Q You approached him in order to buy some farm land or did he approach you?

A No, he approached me a dozen times.

Q And this would be in 1952 that it started?

A I think from the time I moved out there he endeavoured to secure my interest in purchasing his quarter section.

Q And you bought it in 1953?

2-B-11

A. J. Hooke - Crawford Ex.

A Yes, as a matter of fact I have the cheque with me with which I paid for it and the note that represents the money I borrowed to pay for it.

Q Since you have brought those I wonder, Mr. Hooke, if I could just look at them for a moment? Thank you. What was your purpose in buying the Kutt land, Mr. Hooke?

A Well, as I say, my desire when I moved out there was to farm, I had no other desire whatever, and when by the time an option was given by neighbours and then by me to Mr. Campbell it became obvious that in all probability there could be a town developed, I believed that with the acquisition of the Kutt quarter, which was mainly a pasture quarter, I could carry on, by retaining a portion of my original land, a farming operation successfully. I can recall discussing it rather fully with my next door neighbour, Mr., my next door neighbour to the North, Mr. Smeltzer, as to whether or not he, with his lengthy farm experience, believed that the Kutt quarter and a portion of my land with the buildings remaining could make an economic unit for what I had in mind. He believed that it could be done. I relied upon his advice.

Q And in fact you did farm the Kutt quarter for awhile?

A Yes, I did.

Q How long?

A Well, I put in one crop, I know that; I brushed approximately ten acres of hilly land and broke it; and picked rocks, roots; I refenced the quarter section; I tore down the old barn and used the lumber to build a granary: I don't know

2-B-12

A. J. Hooke - Crawford Ex.

A (Cont.) whether it was a year or two years.

Q In any event, it shortly was divided into small holdings and sold?

A At this time, at the time we are talking about, the circumstances out there were vastly different than they are today. The Kutt quarter was half a mile from the highway, connected only by a very poor trail, and when it was wet or snowy it was almost impossible to get through except with horses; and from the time I first moved into the Salisbury district I was being pestered almost weekly with people wanting to buy acreage along the front or the north and south road of the Kaplain quarter. I was approached two or three times by a man by the name of McCoy, and Mr. McCoy wanted to buy acreage from me. I had had some experience with keeping cattle on the Kutt quarter, and very often the trail leading down to it was sort of a lover's lane and occasionally young people would park in the quarter, leave the gates open, and the next thing I knew I would get calls from neighbours complaining that my cattle had got out and were with theirs or something of that nature, or my bull was getting acquainted with their stock; and when Mr. McCoy pressed me for a site for a home he said to me that "Your son has told me that you have another quarter.". "Well," I said, "You wouldn't be interested in that, it is a half a mile off the road, off the highway, and there is only a poor trail leading to it.", and he said "I think I would, my main concern is getting my youngsters out into the country."

2-B-13

A. J. Hooke - Crawford Ex.

A (Cont.) I explained to him that if he were prepared to take care of the place for me, make sure my gates were kept closed, keep an eye on the cattle, and was prepared to take a site right out of the northwest corner, he wanted five or six acres, I have forgotten which it was now, I believe it was five, but I was quite prepared, yes, it was five, prepared to let him take it; and I sold him that five acres. It was surveyed out, and that is when I got some idea of the cost of survey. It was surveyed out and sold to him for a thousand dollars. I had no intention of subdividing that quarter either.

2-M-1

A. J. Hooke - Crawford Ex.

Q That was the first step, but subsequently it was pretty well subdivided, I believe?

A Yes, it was. As a matter of fact, I didn't know at the time that I agreed to let Mr. McCoy have this land that he was a veteran, and that he was buying through V.L.A. It was only after I had agreed to let him have it that I became aware of that fact, when Mr. Puffer who was in charge of small holdings, came out to see me. After he had seen the quarter-section he came back to me a dozen times saying that -- saying, "This is something that would be ideal for the purposes, that we have been searching all around the City trying to find such a place that could be subdivided, and here is a Mr. Robison -- " and he mentioned quite a string of names --- "All of these men wanting to secure small holdings; would you consider selling off more of it?" I opposed it as long as I thought I could.

Q Mr. Hooke, do you recall telling me a few moments ago that you had never asked Mr. Holloway to make any representation on your behalf to the Edmonton Regional Planning Commission or the Provincial Planning Board, or to take any particular position that would assist you. Do you remember saying words to that effect?

A Yes.

Q I am looking at Exhibit 186 -- it is page 416 from the minutes of the Provincial Planning Advisory Board meeting, and it shows those present: Mr. Holloway, Mr. Lester, Mr. Putnam, Mr. Hogg, Mr. Rookwood, Mr. Gee, and Mr. Pawliniuk.

2-M-2

A. J. Hooke - Crawford Ex.

Q (Cont.) I suppose all of those people were well known to you at that time?

A Not all of them, no.

Q Mr. Holloway was, and Mr. Putnam?

A Yes, I went to school with Mr. Putnam, as a matter of fact.

Q And Mr. Gee, of course, was well known to you?

A Not very well. Mr. Gee was one I became better acquainted with later on.

Q And what about Lester, Hogg, Rookwood and Pawliniuk? Did you know any of them?

A I knew that Mr. Lester was succeeding or had succeeded Mr. Holloway as Director of Surveys. I hadn't had enough to do with him to know him well. Mr. Hogg I did not know. I believe he was from the Department of Health. I don't know him yet, as a matter of fact.

Q In any event, under "Matters for Consideration", Item No. 1, on that day, March 27th, 1958, it says: "Campbelltown: Recommendation of Edmonton District Planning Commission." Then the following:

"Mr. Holloway read a letter received from Mr. Hooke regarding the original approvals for the townsite and his recommendation that the Provincial Planning Advisory Board consider the redesign requested by the developers rather than the Edmonton District Planning Commission."

Do you have any recollection of what that was all about?

A No, I can't at this moment -- I haven't at this moment. It

2-M-3

A. J. Hooke - Crawford Ex.

A (Cont.) would be something to do with my official position, I'm sure. You said 1958 -- that would be as Minister of Municipal Affairs, but beyond that, sir, I can't answer it.

Q And when it says here: "Regarding the original approvals for the townsite and his recommendation" -- is that yours or Mr. Holloway's?

A Well, I don't know, I'm sure. I wondered that when you were reading it the first time.

Q In any event, the recommendation was that the Provincial Planning Advisory Board consider the redesign requested by the developers rather than the one of the Edmonton District Planning Commission. Now -- .

A Excuse me: is this a minute taken from a meeting of the Provincial Planning Advisory Board?

Q Yes.

A That was long after I had left it, of course.

Q Yes. Did you ever express the view to Mr. Holloway that you would prefer either in your official or personal capacity, that the developers' redesign, or the developers' proposals be used instead of those of the Edmonton District Planning Commission?

A No, I think that must be referring to his own recommendation, because certainly I never did take any part in anything of that nature.

Q If you had it would be rather a direct intervention, wouldn't it?

A It would be what?

2-M-4

A. J. Hooke - Crawford Ex.

Q It would be rather a direct intervention in the affairs of the Board?

A I would say it would if I had, but I am quite sure I didn't.

Q Did you give confidential information to Mr. Campbell about industries that were proposed for the Strathcona area at the time he was making plans to submit Sherwood Park proposals?

A Never, Mr. Crawford, nor to anyone else.

Q Mr. Hooke, Exhibit 164 is a copy of a letter written by Mr. Campbell to Mr. Holloway on December 27th, 1951,

"Re Proposed section" -- "Re Proposed townsite, section 27-52-23-4."

Among other things he says:

"In particular we have consulted several competent sources of opinion on the probable course of industrial development, and have thus reached certain definite conclusions by which we have largely been guided in formulating this project."

Now, do you know what those competent sources of opinion were?

A No, I certainly don't.

Q Is there any source within the Department of Economic Affairs?

A Did you say "was there a source"?

Q Yes, available to Mr. Campbell.

A Well, there was such a man as Director of Industrial Development attached to the Department of Economic Affairs. He is the man who today is the deputy Minister of Industries

2-M-5

A. J. Hooke - Crawford Ex.
- Wright Ex.

A (Cont.) and Development, and I am speaking of Mr. Richard Martland; so far as giving out information is concerned, I know him well enough, too, to know that the only information he would ever give out would be that which would be public knowledge at the time.

Q And did you give out information?

A No, I never did, sir.

Q It was certainly available to you, wasn't it?

A Pardon?

Q It was certainly available.

A Not always, not always. Sometimes Mr. Martland would be aware of things that -- before I was. It would be available in the sense that I could always secure information if I wished from him, naturally.

Q I think those are all my questions, thank you.

THE COMMISSIONER: Thank you, Mr. Crawford. Mr. Wright?

MR. WRIGHT EXAMINES WITNESS:

Q Mr. Hooke, how does it come about that the main developments first occurred in Sherwood Park on your land, if you were so reluctant about it being developed?

A Well, that would certainly be the choice of the people developing, Mr. Wright. I certainly had nothing to do with it.

Q You didn't suggest to Mr. Campbell that maybe they should work on the other pieces of land that he was dealing with first, and then use yours later, if necessary?

MR. CLEMENT: Well, I think, sir, we should be

2-M-6

A. J. Hooke - Wright Ex.

MR. CLEMENT: (Cont.) correct in our facts. This option wasn't taken up until Mr. Trowbridge got into the picture.

Q MR. WRIGHT: All right. Well, Trowbridge, then -- whoever the developers were. You didn't suggest that at any time, eh?

A No, I did not.

Q If you were so reluctant about your land getting into the picture, were you not peeved that yours should be the one to be developed first?

A Well, I think by this time I had gotten over any peevishness that I might have had in that I said to myself, "Well, this is it; I have no more right to direct anything, or anything else."

Q And you are asking us to understand that any peevishness you had was about the development happening, not about it happening slowly?

A In the first place.

Q Pardon me?

A In the first place I certainly did not wish to see it, that is true.

Q Yes; Mr. Holloway had a long and illustrious career as a civil servant, did he not?

A Yes, he had a long service, a long period of service in the Civil Service in many different positions.

Q Yes. He is one of the best civil servants that we have had here since you have been associated with the government?

A Well, I would say he is an excellent type of civil servant.

2-M-7

A. J. Hooke - Wright Ex.

Q Yes. One of his outstanding qualities is his grasp of detail, would you agree?

A Yes, I do agree.

Q And his excellent memory for detail?

A Well, at one time that was certainly true. In the last two or three years Mr. Holloway has been a sick man.

Q Yes.

A I do not know what it is like at this moment. I know -- .

Q Not given to writing up false entries in places, anyway, in the old days, at least?

A Well, certainly I would never think of Mr. Holloway as doing anything wrong.

Q Yes, yes. The account you have given to us of the progress of these options, namely, there was nothing until 1953, is the account of the matter that you gave to the income tax authorities, is it not, Mr. Hooke?

A May I get that again, please, Mr. Wright?

Q Can you read it back, please, Mr. Reporter?

THE REPORTER: (Reading)

"Q The account you have given to us of the progress of these options, namely, there was nothing until 1953, is the account of the matter that you gave to the income tax authorities, is it not, Mr. Hooke?"

A I hope I am understanding the question correctly, sir: I think that's right.

Q MR. WRIGHT: Yes, and they were concerned that

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A. J. Hooke - Wright Ex.

Q (Cont.) perhaps you had gone into this thing from the start with the intention of developing the property?

A That was their concern, I am sure.

Q Yes, and so you satisfied them that this was not so.

A Yes; there was plenty of evidence to show that I had borrowed and spent quite a bit of money in connection with stocking the place -- .

Q Yes.

A -- with both cattle and hogs -- .

Q Yes.

A -- and so on.

Q Were any enquiries made by them about possible verbal options?

A Not that I can recall.

Q I see. Mr. Maynard you have known for many years?

A Since 1935.

Q And he is a friend of yours?

A Yes.

Q And has been since 1935?

A I would say so.

Q You told us yesterday that you were absent from one of the council meetings that discussed the Sherwood Park matter. How do you know that?

A I think there was a date mentioned there.

Q I see.

A And I can recall being in Calgary, I think, with Mayor McKay about that time, in connection with the Auditorium.

2-M-9

A. J. Hooke - Wright Ex.

Q Do you know how many times it was discussed?

A No, I don't, Mr. Wright.

Q If my memory serves me right, in Exhibit 174, which is your memorandum about the progress of Sherwood Park -- you have seen that -- it may be on the table there -- . If my memory serves me right there is no mention of date as to the council meeting for -- as to the council meeting at all that approved the plan which you signed as 175. Can you just check that closely, please?

A No, there seems to be no date mentioned.

Q Yes. You do mention a meeting of the executive council there which you say approved the project you think in '54?

A I think that's paragraph 2. This matter was dealt with by the council to the best of my recollection in late October or early November of 1954.

Q Just a minute. Is this the council of the municipality, or the executive council? Executive council, yes.

A Yes.

Q Yes -- in late October or early November of 1954; so that wasn't the one that preceded the signing of this in '55, obviously?

A I'm sure I don't know.

Q Well, it wouldn't take a year or thereabouts to -- to put the executive council approval on a plan, would it?

A Well, it shouldn't.

Q Mr. Hooke? Yes. Well, why, then, was there no mention in that memorandum of the crucial council meeting? Any idea?

2-M-10

A. J. Hooke - Wright Ex.

A No, I haven't.

Q What was the purpose of the memorandum in the first place, No. 174?

A I would gather from reading the first paragraph that I had been asked to express what the attitude of the Lieutenant-Governor-in-Council was on this matter, and that I was indicating to him what my understanding of it was.

Q Yes, and by this time you knew more about it than -- than most people in the department, wouldn't you say, Mr. Hooke?

A No, I wouldn't say than most people in the department -- I would say perhaps than any of my colleagues -- being by this time Minister of Municipal Affairs for three years.

Q Yes; do you remember the time when the Municipal District of Strathcona did withdraw from the Planning Commission?

A Only from the records that I have seen here.

Q You can't remember it happening at the time, eh?

A No, at the time this was before my association with Municipal Affairs that closely, and consequently I would not have such a --- so much knowledge of it as I would had I been closer to the department.

Q Yes.

A I do recall of its happening, however.

Q Yes. Were you aware that Mr. Gerhart was away at that time?

A I believe he was on holidays at that particular time.

Q Yes, but you say you had no idea of its happening -- of its happening at that time?

A Did I say that? I'm not quite sure whether you are --- .

2-M-11

A. J. Hooke - Wright Ex.

Q Well, I'm asking you now -- .

A --- you are asking me the question a second time or not.

Q I thought you had just told us that just now, that you weren't aware of the Municipal District of Strathcona withdrawing from the Edmonton District Planning Commission.

A Yes, because there was a fair bit of argument going on at the time concerning it, between Strathcona and other members associated with the Planning Commission. As I say, it was the first planning commission in our history --.

Q Yes, yes, I know, but -- you didn't know they had withdrawn?

A No, that's right.

Q At the time.

A That's right.

Q You don't know what Mr. Gerhart's attitude was about it at the time?

A No, I don't.

Q This was the first time that anybody had withdrawn from that Planning Commission?

A Yes; some were talking about it, Mr. Wright, but this was the first one -- .

Q And it was the only --- .

A -- perhaps the only --.

Q Sorry.

A I was going to say perhaps the only one where withdrawal actually took place.

Q Well, it is the only one.

A Yes.

2-M-12

A. J. Hooke - Wright Ex.

MR. MAYNARD: No, no, no, there is information on record that there was another one -- another withdrawal from the same Commission, Mr. Commissioner.

Q MR. WRIGHT: Well then -- .

THE COMMISSIONER: That was Sturgeon, wasn't it, the Municipal District of Sturgeon?

MR. MAYNARD: Yes.

MR. WRIGHT: Yes -- .

A I knew they were wanting to, at any rate.

Q Yes, and they did in fact withdraw?

A Well, I would have to say now that they did. I was not actually aware that they had completed it, but they must have.

Q I see. Is there evidence advanced, Mr. Maynard -- ?

MR. MAYNARD: Yes, that's on the record, that Sturgeon did withdraw.

THE COMMISSIONER: I think it's in the -- I think it's in the evidence of Mr. Lash -- .

MR. WRIGHT: M-hm.

THE COMMISSIONER: -- that the -- as I recall it -- the Municipal District of Sturgeon withdrew; I believe it is the evidence of Mr. Lash.

Q MR. WRIGHT: Yes, and Sturgeon did this after the withdrawal of Strathcona?

A What was that again, please?

Q Sturgeon did this after the withdrawal of Strathcona?

A Well, I think so; I would hate to try to be completely

2-M-13

A. J. Hooke - Wright Ex.

A (Cont.) adamant one way or the other on that.

Q Yes. Would not the withdrawal of the municipal district be a matter of concern to the Department of Municipal Affairs?

A Yes, I think so. I know that this business of setting up the first commission was more or less a baby of Mr. Gerhart's.

Q Yes.

A And he would hate to see it fail.

Q Yes, and therefore it would be all the more peculiar to have the withdrawal take place in his absence from town, would it not?

A Not if a man is away on holidays, if he is away for three or four weeks -- and I don't suppose Strathcona cared too much whether he was there or whether he wasn't. They had made up their minds to withdraw and they would certainly want to do it regardless of Mr. Gerhart.

Q Yes, but the application was also made before he was back, wasn't it? I mean, he was away when the application was made, too?

A Well, the Honourable Mr. Maynard, as acting Minister, signed the recommendation which is evidence in itself that Mr. Gerhart was away.

Q Yes, yes; well then, drawing on your experience as Minister of Municipal Affairs, would you not consider it most peculiar that such an important step as this would be taken in the absence of the minister?

A No.

2-M-14

A. J. Hooke - Wright Ex.

Q You wouldn't?

A No.

Q Did Mr. Gerhart ever complain to you later that this had happened in his absence?

A No, he never did.

Q Now, you will agree that when you gave Lodgepole as an example, you were talking about a "new town" which is a "new town" proper under the Act?

A Yes.

Q But that is not the case with Sherwood Park.

A No.

Q There is no statutory way that this got into executive council at all?

A Except by virtue of the fact, I think, that the planning procedures were not set out as they are today.

Q That's true, but that's what I'm saying: it was nowhere spelled out that the development of any particular townsite should at any time go -- be a matter for a decision by the executive council.

A I can't recall the wording of the Act as it stood then, but it would seem, in thinking back, that with perhaps no specific provision, then it would naturally come to the executive council for a decision.

Q Yes. Well, that is a possibility, I suppose, as to the overall site, but as to the actual approval of the overall plans such as we see in Exhibit 175, what is the answer about that?

2-M-15

A. J. Hooke - Wright Ex.

A Well, I think it would be in the same category.

Q Well, this is more specific. By this time the decision had been made to have this townsite there, hadn't it? Both at the executive council level and at the Edmonton District Planning Commission level?

A 1954, yes, that's when the decision was.

Q No, 1955.

A In '55, yes, that's true.

Q Yes, and you were Minister of Municipal Affairs by December of 1955?

A Just a month ahead of that.

Q Yes.

THE COMMISSIONER: I wonder, Mr. Wright, is this a convenient point?

MR. WRIGHT: Yes.

THE COMMISSIONER: We will adjourn for twenty minutes.
(Adjourned at 11:15 a.m.)

3-P-1

A. J. Hooke - Wright Ex.

THE COMMISSIONER: Mr. Wright?

MR. WRIGHT: Thank you My Lord.

Q MR. WRIGHT: Mr. Hooke, you told us yesterday that Mr. Weber had come to see you at some time with the idea of himself developing some property at Sherwood Park or in the Sherwood Park area?

A No, he sent prospective purchasers out to see me.

Q Oh, was that it, yes?

A Yes.

Q Yes, I think you gave us the date, did you?

A It was shortly after I moved out there. I know there was a light snow on the ground and to the best of my knowledge it would be, we moved out on the 10th of November and somewhere between then and the end of December, perhaps.

Q Oh yes, and they were prepared at that time to offer you \$1,000.00 an acre?

A Yes.

Q Why then did you in '53 reluctantly as you have told us, let Mr. Campbell option your land at \$500.00 an acre?

A Well, first of all I didn't wish to do either one.

Q Yes I understand that, but if you were not keen about it, you could have held him up for a higher price?

A I suppose that is true.

Q And you had in fact been offered a higher price?

A Yes, for acreages.

Q Yes, why didn't you then in 1953?

A Well, to begin with, I didn't want to dispose of any of it

3-P-2

A. J. Hooke - Wright Ex.

A (Cont.) and by the time 1953 had arrived and the neighbours were optioning their land for a townsite, as I explained to one of the other gentlemen, I simply felt I was in a position where I couldn't do much else about it.

Q Well now Mr. Hooke, the town could have been built on the next section could it not?

A Well, as far as I was concerned I was hoping it would.

Q Yes, well then you could have refused as I think you told my learned friend Mr. Bowen?

A Yes.

Q But the least you could have done if you were that reluctant about it was to sell it for more?

A Well, I can only repeat again that I felt I was in somewhat of a peculiar position, I was in a quandary over the whole matter so far as that is concerned.

Q Or did you need the money more in 1953?

A Well no, I wouldn't say that that had any bearing whatever ^{sold} because I could have still/off acreages I know that. People were out there all the time asking for acreage.

Q Yes, and there was no antecedent discussion of option price before 1953 between you and Mr. Campbell?

A That is right.

Q Mr. Campbell was very active between 1951 and 1953 in trying to push Campbelltown, wasn't he?

A Well, I always thought he was very active in looking for the most appropriate site and that sort of thing and was insisting

3-P-3

A. J. Hooke - Wright Ex.

A (Cont.) he would promote a townsite out there somewhere.

Q That is true but after 1951 Mr. Holloway tells us there was never any suggestion, at least after that meeting that he tells us about, about September or October, 1951, there was never any wish on Mr. Campbell's part to promote a townsite elsewhere. Do you have any knowledge of such a wish?

A No I haven't. I recall reading in the transcript somewhere where some engineers had said that was the most economical place or something.

Q All right, he may have had his reasons but certainly after the end of 1951 he didn't want the townsite anywhere else?

A I presume that must be right from the evidence I have read.

Q And in fact, he is a very persistent man, isn't he, Mr. Campbell?

A I would say he is from my knowledge of him.

Q Yes, and he kept on at the Edmonton District Planning Commission and the Council and on, didn't he?

A Well, he is the type of individual who would so I presume that he did.

Q Yes, and all the time it was Section 27 we see from the documents, the southwest quarter I should say to be more precise?

A Well I would say the southwest quarter of Section 27 was only a very tiny part of what he was after and what he was securing options on.

Q Well at first it was larger, later it was much more confined, wasn't it?

3-P-4

A. J. Hooke - Wright Ex.

A Well, I understood at one time it extended over about twenty-two quarters.

Q Well the original proposal, yes, but by the time we get to 1953 he was making some headway with the Edmonton District Planning Commission, it was much less than that, wasn't it Mr. Hooke?

A That I don't know for sure.

Q You don't know for sure, well, we can see from the documents and the one constant piece of land was the southwest quarter of Section 27, wasn't it?

A Well, I understood it to be the whole of Section 27 Mr. Wright, I don't know that the southwest was stressed any more than the rest of it.

Q But certainly there was never one solitary proposal of Mr. Campbell's that did not include your land?

A I would gather that that is right.

Q Yes, and this was in the period between 1951 and 1953 when you say there was not even as much as a verbal option? Between you and Mr. Campbell?

A Not that I know of, for sure.

Q And no arrangements of any sort?

A Not that I can recall anything about.

Q Yes, not that you can recall and the negotiations which you say -- Well, the negotiations which Mr. Campbell refers to as having been entered into in his letter of the 9th of December -- 9th of November, 1951, that is the letter to Council, is a figment of his imagination so far as your land

3-P-5

A. J. Hooke - Wright Ex.

Q (Cont.) is concerned?

A Would you mind rephrasing it for me please?

Q I am sorry, it is a rather long question.

A Yes.

Q But, if you look at that Exhibit, number 159, the first numbered paragraph, the paragraph numbered one which is the second paragraph, the last sentence of it, "Negotiations for purchase of the land are in progress and the land is the whole of Section 27"?

A Yes.

Q And so far as your quarter of it is concerned that is just not true is it?

A He certainly didn't discuss it with me.

Q I see?

A At that time the title was in someone else's hands too.

Q Well yes, but you had a caveat on it?

A Yes, but he didn't discuss it with me, that is the answer.

Q Just a minute, you say the title was in someone else's hands, that is Weber Brothers?

A Yes.

Q But that doesn't mean much because you were the owner of the place, weren't you?

A I was hoping to become so.

Q Well, you had a caveat claiming an interest?

A Yes.

Q And you were the owner of the place by the 9th of November,

3-P-6

A. J. Hooke - Wright Ex.

Q (Cont.) weren't you?

A Well, I hadn't paid for it, of course, I was residing upon it.

Q Well you were the owner under an agreement for sale, weren't you?

A Yes.

Q So the answer to my question was yes, wasn't it?

MR. MAYNARD: Which question?

Q MR. WRIGHT: You were the owner in 1951, November 9th?

MR. MAYNARD: Under agreement for sale he answered, yes.

MR. WRIGHT: Thank you.

Q MR. WRIGHT: Incidentally talking about the Weber agreement for sale, that was paid out before the due date which I gather was in '58 was the final payment?

A Yes, by virtue of the sale of the land it was paid out ahead of the regular mortgage time.

Q It was paid out by Trowbridge?

A That is right.

Q When they purchased from you?

A Yes.

Q And again we come back to this that although throughout this time your quarter section was being dealt with, and dealt with persistently by Mr. Campbell, he didn't speak to you about it in the period '51 to '53?

A No, no that is right.

Q And yet you were in business with him at this time?

3-P-7

A. J. Hooke - Wright Ex.

A In Ideal Homes?

Q Yes?

A I was very seldom near the place.

Q Yes. Wouldn't you -- didn't you consider it when you found out about this, you did find out about this obviously?

A Strangely enough I knew nothing about this letter.

Q The letter, I am not talking about the letter, I am talking about the negotiations in the period '51 to '53. When did you find out about this?

A Just about the time that options were signed by Mr. Smeltzer.

Q You are telling us you didn't find out about all these negotiations Mr. Campbell was carrying on until 1953 Mr. Hooke?

A Not in the detail that you are expecting.

Q In what detail did you find out in that period?

A Well all I knew is that during that time he was certainly trying hard to promote a townsite somewhere in the area.

Q On your land?

A No, I can't say that I felt that I knew it to that extent.

Q When did you find out that throughout this period he had been endeavouring to promote a townsite on your land Mr. Hooke?

A Well as I said this morning Mr. Wright, any reference that was made to me was made in a joking sort of fashion and I certainly did not take that sort of thing seriously until we get to 1953, just about the time of the options.

Q Are you telling us that it wasn't until 1953 that you found out that for the previous year and a half at least he had

3-P-8

A. J. Hooke - Wright Ex.

Q (Cont.) been pushing this townsite which comprised your land?

A I knew he had been pushing a townsite.

Q And it wasn't until 1953 that you discovered it was your quarter section he was pushing?

A Perhaps because he was so interested in my quarter section and he knew that I was to adamant and concerned in keeping it he perhaps was pushing other people but not with me.

Q Well please, my question was, when did you find out Mr. Hooke?

A Well, I think I have answered that, about the time of the options.

Q Yes but until that time you didn't know that your quarter section was in the land that Mr. Campbell was pushing?

A Well I certainly didn't take it seriously Mr. Wright.

Q You didn't know?

A No I didn't know. If you wish me to answer it that definitely I shall have to say that.

Q Thank you. How often during that time did you see Mr. Campbell?

A Very seldom.

Q And yet he was a man active in running your company from day to day, Ideal Homes Limited during that time?

A So far as I was concerned, it was running without me, that is for sure.

Q Yes, did he not consult with you from time to time about Ideal Homes Limited?

3-P-9

A. J. Hooke - Wright Ex.

A Any consultation that I had, for the most part, was with my brother-in-law.

Q Did he not consult with you from time to time?

A He may have on occasions, I wouldn't say that he did.

Q When you did find out in 1953 didn't you consider it to be the most arrogant piece of cavalier treatment of someone else's property Mr. Hooke?

A No I can't say that I did.

Q Why not?

A Because I know that certainly is a method used by people who promote to endeavour to see first of all whether there is a possibility of using the land they want to use for the purpose for which they intend to use it.

Q Yes, yes but to make definite proposals comprising land over a period of a year and a half, someone else's land in which they had no interest, you say you weren't surprised at this even?

A Well, I don't know what my feelings were exactly.

Q Weren't you shocked?

A No, I can't say that I was shocked.

Q You weren't shocked. Fine. Mr. Holloway was a friend of yours?

A I always regarded him so after we became very well acquainted.

Q Yes, and this close acquaintanceship, was it ever a close acquaintanceship?

A Was it ever?

Q A close acquaintanceship?

3-P-10

A. J. Hooke - Wright Ex.

A It was always in our capacity as Minister and Civil Servant.
We didn't visit back and forth.

Q Yes?

A I don't think our wives are even acquainted, for instance.

Q That is fine, you regarded him as a friend after you became
well acquainted with him? Correct?

A I do with most people as a matter of fact.

Q Yes, that is fine, that is a very creditable thing, I am
sure but when did you first become well acquainted with
him?

A I think when we were working together to endeavour to bring
in a pension scheme for Civil Servants. Prior to that time
there had been a Superannuation Act which was anything but
satisfactory.

Q And this was about 1950, was it?

A It was before that.

Q Before that?

A '47.

Q '47, I see that he became Chairman of the Civil Service
Commission in the spring of 1948 so it would be about or
slightly prior to that time, eh?

A I believe the Pension Act became effective April 1st, 1947,
if my memory serve me correctly.

Q I see, fine?

A So we would have been working together even a little before
that.

3-P-11

A. J. Hooke - Wright Ex.

Q I see. And had you met him before that or known him?

A Yes, I met him shortly after I became a Minister which was 1943.

Q Yes?

A At which time, I think, as I have said, he was active with the Association, not so much as the administrative end of the Government at the time, he was with the Civil Service Association, their own union.

Q It was just a coincidence that you were born eighteen miles and three years apart --

A I expect that was a coincidence all right.

Q -- in the same county in England?

A Yes.

Q You hadn't known him prior to meeting him in Government service?

A I had known him for years before I knew that he came from Bath where we were educated together.

Q Chipping Sodbury.

MR. CLEMENT: Enough of this name dropping.

Q MR. WRIGHT: Now, you told us this morning and perhaps yesterday that you didn't want to stand in the way of the progress of this townsite which the Council wanted, the Municipal District of Strathcona, that Council?

A That is true.

Q Yes, and it was Mr. Campbell of course that had proposed the deal to them?

A Well --

3-P-12

A. J. Hooke - Wright Ex.

Q Deals are a bad word, the proposals?

A As nearly as I know, that would be true.

Q Yes, and with his usual persistence, it was Mr. Campbell that was prodding the Council to prod everyone else?

A I couldn't be sure of that Mr. Wright.

Q You knew at any rate, particularly after 1953 that Mr. Campbell was in frequent touch with councillors with reference to Campbelltown?

A Yes I think I knew that.

Q Yes. Well, since he was your friend and since you say you didn't want your land to be used, why didn't you tell him to lay off?

A Well, I still didn't think it was my business to do that, laying off the promotion of a town, especially if the Council wished it.

Q Well if the Council wished it but so far as Mr. Campbell is concerned, you didn't tell him for goodness sake try some other place, eh?

A I may have said that to him all right.

Q But you can't remember doing that?

A Not exactly.

Q Now, did you have any trouble obtaining subdivision of the Whitecroft property?

A No, by that time, as a matter of fact, I was being asked to by the Edmonton District Planning Commission at the insistence of ...

Q Who asked you that?

3-P-13

A. J. Hooke - Wright Ex.

A Pardon?

Q Who asked you that?

A I received a couple of calls from the Edmonton District Planning Commission as a result of Mr. McCoy having got the first five acres and then the man in charge, Mr. Puffer bringing it to -- repeatedly asking me and also mentioning it to them.

Q I see, from whom had Mr. McCoy got the first five acres?

A He got it through V.L.A. as I say, I didn't realize when I agreed to let him have the five acres that he would be going through V.L.A. in order to get it.

Q Yes. Well now, in order to give the land to Mr. McCoy you had to effect a subdivision did you not?

A I had to subdivide that part out of it, which I did.

Q Yes, well that is what I am getting at, did you have any trouble there?

A No as I say, as a matter of fact, it was welcomed with open arms because they were looking for such land.

Q Who was?

A V.L.A. and the Edmonton District Planning Commission had been asked, as I understand it, by V.L.A. if they were aware of any particular area that could be used for this purpose because V.L.A. was being pressed by quite a number of returned men for land.

Q Did Mr. McCoy come to you from the V.L.A. then?

A No, Mr. McCoy came to me from having known my son for quite a long time, they worked at the same place.

3-P-14

A. J. Hooke - Wright Ex.

Q Yes. He came to you and his testimony was that he didn't concern himself with subdivision at all if I recall rightly?

A Well, all he was concerned about Mr. Wright was securing five acres of land somewhere. He wanted me first of all to let him have five acres from the other quarter.

Q Tell us, did you sell the land to him before it was subdivided or after?

A Well, I agreed with him that if he would take care of my livestock and gates and he was prepared to take five acres right out of the corner that I was prepared to let him have it.

Q Yes, so then you made a deal on that footing, did you?

A That is right.

3-B-1

A. J. Hooke - Wright Ex.

Q Yes, and then later you got a call from the Edmonton District Planning Commission saying you should subdivide?

A Yes, I got two calls as I remember, but prior to that I had a visit from the man who was at the head of V.L.A., Mr. Puffer, because he had to go out and inspect this land before he could put an okay on it for Mr. McCoy.

Q Yes, so who made the application for subdivision?

A I don't recall whether V.L.A. did or whether I did; I know that I would, as the owner of the quarter section, have to sign the application.

Q Yes, did you speak to anyone about that subdivision?

A No, not at all.

Q There was some evidence, I think from Mr. Kaplain, when you were purchasing your land, Mr. Hooke, that there was a possibility of a loan from the Treasury Branch to cover this; did you pursue that at all?

A No, I am sure I didn't, I was very surprised to see that in the transcript. There was never any question of it.

Q You never dealt with the Treasury Branch in this connection in 1951?

A Oh, not at all.

Q But you had already in 1951 obtained a line of credit from them, of course, in connection with Ideal Homes?

A That's right.

Q So that really it would be useless to try and get more?

A It was unnecessary under the conditions under which I bought it in any case.

3-B-2

A. J. Hooke - Wright Ex.

Q Finally, yes. Were you aware of an agreement connecting, were you aware of an agreement connecting the sewer and water with Sherwood Park from the City?

A No, I wasn't.

Q At the time it was made?

A No.

Q Were you aware in August of 1954 that the time on the options was running out?

A I suppose I must have been but I cannot recall having any special thoughts on the matter.

Q Was Mr. Maynard aware, do you know?

A I am sure he wouldn't be.

Q You didn't discuss it with him?

A No, I did not.

Q You discussed Sherwood Park with Mr. Lash on occasion, did you?

A No, I never did.

Q Never did, so that he is not telling the truth then, or however you want to phrase it when at page 1550 of the transcript he says:

"Q However, there were times ..."

the question was:

"Q However, there were times when you did get into very vigorous discussion with Mr. Hooke about Campbelltown, were there?

A Yes."

MR. MAYNARD:

What year were the discussions?

3-B-3

A. J. Hooke - Wright Ex.

MR. WRIGHT: Well, you have to ask Mr. Lash, that is what he said.

MR. MAYNARD: Yes, but Mr. Lash refers to the specific year when the discussions were held, I think Mr. Wright should give us the time of these discussions because it is material whether they were held before 1953 or after 1953.

MR. WRIGHT: Now, look, Mr. Maynard, I asked Mr. Hooke -

MR. MAYNARD: Mr. Commissioner -

MR. WRIGHT: - a general question.

THE COMMISSIONER: I just want to hear Mr. Wright.

MR. WRIGHT: And got an unqualified answer that this was a general question to Mr. Lash and I got a very clear answer. If you want to clear it up later, that's fine.

MR. MAYNARD: Mr. Commissioner, with all due respect, if Mr. Lash was referring to a specific period of time then Mr. Lash's evidence should be quoted in full in that respect.

THE COMMISSIONER: I think, Mr. Wright, if there is a specific reference he should be confronted with it.

MR. WRIGHT: Oh, yes, My Lord, I agree. There is not.

THE COMMISSIONER: Because you have a categorical denial and you must, of course, present the whole situation to him as given by another witness.

MR. WRIGHT: There is not, My Lord.

THE COMMISSIONER: And consider it in that light.

MR. MAYNARD: Okay, fine.

3-B-4

A. J. Hooke - Wright Ex.

Q MR. WRIGHT: Of course, naturally his evidence he gave dates, but it is around about this page or none at all. The question simply was:

"However, there were times when you did get into very vigorous discussion with Mr. Hooke about Campbelltown, were there?

A Yes."

True or false, to your recollection?

MR. MAYNARD: Page?

A No, I never did do any such thing.

Q MR. WRIGHT: Any discussion at all with him?

A Do you mean -?

Q About Campbelltown?

A No, none whatever, Mr. Wright.

Q Was Mr. Campbell doing anything in the first part of 1953 other than promoting Campbelltown on the one hand and the business of Ideal Homes on the other?

A I didn't know of him doing anything else.

Q Could I see Exhibit 193, please? Thank you.

Mr. Campbell dropped in to see you from time to time at your home, did he, Sherwood Park?

A Once in a long while.

Q From the start though?

A Pardon?

Q From the start, once in a long while from the start in 1951?

A I think so, on occasions.

Q Can you remember tramping through the snow with Mr. Holloway

3-B-5

A. J. Hooke - Wright Ex.

Q (Cont.) and Mr. Campbell and perhaps Mr. Angellilo at your place in 1951, soon after you got there?

A No, I certainly can't.

Q Fine.

A Other than perhaps showing off the farm a bit.

Q Yes?

A Around the yards.

Q Oh, I see. Do I gather that you have no memory but it could well have happened, is this the situation?

A Well, it would only be in that sphere.

Q But if it happened it was only because you were showing off the place?

A Well, that's right, if it did happen.

Q I see. Yes, that is all, thank you.

THE COMMISSIONER: Thank you, Mr. Wright.

MR. WRIGHT: Mr. Commissioner, I would like to examine Mr. Maynard, if I could, about that incident in August of 1953. This witness evidently has no knowledge of it.

THE COMMISSIONER: Mr. Maynard?

MR. MAYNARD: I have no objection, Mr. Commissioner, to giving the evidence on the incident in 1953. 1953 or '54?

MR. WRIGHT: Did I say '53?

MR. MAYNARD: You said '53.

MR. WRIGHT: I am sorry, '54, August.

MR. MAYNARD: I take it it is the question in

3-B-6

A. J. Hooke - Maynard Ex.

MR. MAYNARD: (Cont.) reference to the Order-In-Council?

MR. WRIGHT: Yes.

MR. MAYNARD: I have no objection to giving evidence,
Mr. Commissioner.

THE COMMISSIONER: Well, will you carry on with your
examination then?

MR. MAYNARD EXAMINES THE WITNESS:

MR. MAYNARD: Mr. Commissioner, before I proceed with
the examination of the witness, in relation to my objection
a moment ago to Mr. Wright, I would like to refer to the
transcript at page 1549 and 1550, and I read the following
questions and answers. Mr. Lash is being examined by Mr.
Wright, and I point out that this was the first time that
Mr. Lash was on the stand, the first day that Mr. Lash was on
the stand.

"Q And on the occasion after Mr. Hooke became Minister
..."

and Mr. Hooke became Minister in, I take it it is Municipal
Affairs, Mr. Hooke became the Minister of Municipal Affairs
in 1955. This is what I recall.

"Q And on the occasion after Mr. Hooke became Minister
..."

and you became Minister of Municipal Affairs in 1955, if I
recall, so that I will start over:

"Q And on the occasion after Mr. Hooke became Minister
did you meet with Mr. Campbell and Mr. Hooke?

A I don't really remember this.

3-B-7

A. J. Hooke - Maynard Ex.

MR. MAYNARD: (Cont.)

Q Yes. Did you have quite heated discussions with Mr. Hooke about, over the question of Campbelltown?

A I had more heated discussions with Mr. Campbell than with Mr. Hooke.

Q Yes, you did have heated discussions with Mr. Campbell?

A Yes, and I can remember a particular one but I am afraid I don't remember in whose presence, either Mr. Hooke or Mr. Judge or perhaps Mr. Morrison; Mr. Campbell and I almost came to blows, but over what I don't know.

Q Yes.

MR. CLEMENT: Time is a great healer.

Q MR. WRIGHT: And this was, well, it must have been with reference to Campbelltown?

A Yes.

Q Yes, but exactly what in that subject you cannot remember?

A Yes.

Q And you cannot be sure whether this was in Mr. Hooke's office or someone else's office?

A No, I cannot be sure.

Q But that was a real shouting match, was it?

A Yes."

Now, up to this point, Mr. Commissioner, I point out we are dealing with the heated discussion with Mr. Campbell; and

3-B-8

A. J. Hooke - Maynard Ex.

MR. MAYNARD: (Cont.) then we are asked, Mr. Wright asks:

"Q However, there were times when you did get into very vigorous discussions with Mr. Hooke about Campbell-town, were there?

A Yes.

Q By this time, of course, the main die had been cast?

A Yes."

Now, I come to the examination of the witness.

Q MR. MAYNARD: Mr. Hooke, did you ever have any correspondence with Mr. Trowbridge concerning the renewal of the option you had given Mr. Campbell?

A No sir.

Q Did you ever give Mr. Trowbridge a letter concerning an extension or a renewal or a new option?

A At the, towards the end regarding the twenty acres.

Q Only in relation to the twenty acres?

A That is all I can recall.

Q The option before this covered, that you had given to Mr. Campbell, covered one hundred and forty acres, as I recall?

A I believe that's right.

Q And this option had been assigned by Mr. Campbell to Mr. Trowbridge?

A That is right.

Q And it is this option that you say you have endeavoured to locate and have been unsuccessful?

A That is correct.

Q What attempts have you made to endeavour to locate this

3-B-9

A. J. Hooke - Maynard Ex.

Q (Cont.) option?

A I have spoken to Mr. Campbell, I have also been in touch with Mr. George Bryan who was Mr. Campbell's solicitor at the time, and I have been, it has been impossible to find such a document.

Q And you have been unable to find any copy of the option in your own records?

A I have none whatever in my own records.

Q The option, as you recall now, was for one hundred and forty acres?

A Yes, I think that's right.

Q And what did you do with the other twenty acres eventually?

A The other twenty acres were sold to Mr. Trowbridge and Associates for a shopping centre site.

Q And did you have any discussion or correspondence with Mr. Trowbridge in this connection?

A Yes.

Q This letter is unsigned, Mr. Hooke, it purports to be a copy of a letter, it is to A. L. Trowbridge and Associates Limited; did you sign the original of this letter?

A Yes, I did.

Q Mr. Commissioner, this is a letter dated November 28th 1955 from Mr. Hooke to A. L. Trowbridge and Associates Limited, dealing with the South West of 27, 52, 23, West of the 4th Meridian. The letter contains an offer to sell:

" ... twenty acres at and for the sum of \$2,000.00 per acre, the sale being conditional on your conveying to

3-B-10

A. J. Hooke - Maynard Ex.

Q (Cont.) me a suitable site in the Campbelltown subdivision and moving the house in which I now reside to the said site at your expense, and also agreeing to move the two portable buildings situated on the land in question to sites to be provided by me, all buildings to be restored at their present conditions after being moved."

I would ask this to be marked as an Exhibit?

THE COMMISSIONER:

Exhibit 463.

LETTER, TO TROWBRIDGE FROM
HOOKE, NOVEMBER 28th 1955,
MARKED EXHIBIT 463.

Q MR. MAYNARD: Can you tell me, Mr. Hooke, who actually prepared this offer for you?

A Mr. Bryan.

Q And you signed it?

A Yes.

Q And did you get an acknowledgement?

A Yes, I did.

Q Or an acceptance. You are showing me a letter dated December 7th 1955 addressed to yourself from Bryan Foote and Crossley, re the South West, the first paragraph reads as follows:

"Your offer of November 20th 1955 with regard to the sale of twenty acres in the South West corner of the above quarter section, which twenty acres were reserved from the original option granted to our clients, has been considered by Mr. Trowbridge. He had instructed us to accept the said offer, and we hereby

3-B-11

A. J. Hooke - Maynard Ex.

Q (Cont.) do so."

THE COMMISSIONER: Exhibit 464.

LETTER, TO HOOKE FROM BRYAN
FOOTE, DECEMBER 7th, 1955,
MARKED EXHIBIT 464.

Q MR. MAYNARD: At the time you purchased the Kaplain farm originally and in your relations with Weber Brothers, you indicated this morning that you had no objection to Weber Brothers making a profit on the transaction?

A That's right.

Q And your original offer, I think you indicated, you were quite prepared to pay Weber Brothers \$50,000.00?

A Yes.

Q Or pay \$50,000.00 for the quarter?

A That's right.

Q And Mr. Whitla you indicated was the person who had brought this quarter section to your attention?

A That is correct.

Q Was Mr. Whitla to receive a commission on the sale of this farm?

A Yes, he was.

Q And by whom was the commission to be paid in your arrangements?

A It was to be paid by Weber Brothers.

Q And, of course, this would be on top of any profit that Weber Brothers might make in connection with the sale to you?

A That is right.

3-B-12

A. J. Hooke - Maynard Ex.

Q Exhibit 159 is the letter, the original letter that was written by Mr. Campbell to the Municipal District of Strathcona, applying for the development of a townsite in an area involving Section 27; can you tell me, Mr. Hooke, when this document first came to your attention?

A Yes, the first time I knew anything about it is when I had the problem with the Income Tax Department, it was brought to my attention by them.

Q About when was this?

A That would be about 1959.

Q And what did you do when you saw this letter for the first time?

A Well, I was flabbergasted, I just couldn't believe it.

Q And what did you do?

A Well -

Q To be specific, did you get in touch with the Municipality to see if it was true?

A I certainly did.

Q And what information did you get?

A I got the information that this was correct, they verified it, and I said "Are you sure this wouldn't be 1952, could the date be wrong?". They assured me that the date was right.

Q So that although you may have had some passing conversation with Mr. Campbell in, and you said, you indicated that it was, you considered it was in the form of kidding, concerning the development of your property as a townsite, you had no knowledge of this specific document of November 9th 1951 until

3-B-13

A. J. Hooke - Maynard Ex.

Q (Cont.) some eight years later?

A I had none whatever, it was brought to my attention by the Income Tax people.

Q You were asked by Mr. Gill if you had ever met Mr. Trowbridge in your office as Minister of Economic Affairs?

A Yes.

Q Do you know, Mr. Hooke, if Mr. Trowbridge was ever involved in the development of any industry or ever interested in any industrial development in Alberta, outside of the development of the Sherwood Park area?

A I was never aware of any, Mr. Maynard.

Q He never at any time discussed any such matter with you?

A No, not at all.

Q Either in your office or out of your office?

A No.

Q The options that you had given Mr. Campbell I understand were ultimately all assigned to Trowbridge?

A That's right.

Q And then there were further negotiations carried on with Trowbridge by yourself?

A That's right.

Q You mentioned, Mr. Hooke, some time ago about a meeting at your place at which were present, you stated, Mr. Smeltzer, Mr. Adamson, definitely, and possibly also Mr. Campbell; do you remember having mentioned this in reply to Mr. Bowen?

A Yes, I do.

Q Can you tell us when this meeting took place?

3-B-14

A. J. Hooke - Maynard Ex.

A This would be just before the options were signed because I remember the gist of the conversation.

Q Could you tell us about the meeting?

A Well, these men were at my home about nine o'clock, as I remember it, and were still there getting close to three o'clock in the morning; and I was being urged to permit my land to become a part of the townsite, and to give an option to Mr. Campbell. The County of Strathcona I understood from Mr. Adamson was extremely anxious to see this townsite developed.

Q Mr. Adamson was urging you on behalf of the Municipality to do this?

A Yes, he was.

Q Well, of course, when I say on behalf of the Municipality, he was a councilor?

A He was the councilor.

Q Did he actually give you to understand that the Municipality wanted this project to go ahead?

A Yes, very very much so.

Q And what about Mr. Smeltzer, what was his role this night?

A Well, he was indicating that he was giving an option and he thought that he all fairness I should do the same thing.

Q Did he indicate to you that if you did not the project might not proceed?

A Well, he indicated that I might be impeding progress if I didn't go along with the idea.

Q Did he also indicate that he was interested personally in

3-B-15

A. J. Hooke - Maynard Ex.

Q (Cont.) seeing to it that his own land was part of the project?

A Oh, yes, he definitely indicated that to me.

Q Was he concerned as to whether or not he might lose the opportunity of selling his land if you did not consent?

A I am not sure that he said it just that way, but I would gather that certainly he may have had that in mind.

Q Did this have, well, of course, you say this was just before the option was given by you to Mr. Campbell?

A Yes.

Q Did this meeting have any bearing on you granting the option?

A I am sure it did.

Q The urging on the part of Mr. Smeltzer and Mr. Adamson?

A I think more Mr. Adamson than Mr. Smeltzer.

Q More the attitude of the Municipality?

A I think so.

Q And the option was given, according to the evidence, on April 4th of 1953?

A That is right.

Q Now, you had an opportunity of backing away from this option from time to time because the option fell due and had not been exercised, but instead of backing away you gave renewals, Mr. Hooke?

A Yes.

Q Is that right?

A Yes.

Q Now, why would you give renewals of the option instead of

3-B-16

A. J. Hooke - Maynard Ex.

Q (Cont.) backing out?

A Well, I had given my word, Mr. Maynard, on the first option, and the Municipality was certainly very definite about wanting to proceed with the townsite, and I felt certainly that I had a moral obligation to go along with the proposal.

Q Did the Municipality ever indicate to you after you had signed the first option on April 4th 1953, that they were prepared to abandon the project?

A No.

Q Did they always maintain the position that they wanted the project to be proceeded with?

A Any time they ever spoke to me about it.

Q And in 1954, on September 27th 1954, we have in evidence Exhibit number 262, which is an application to the Provincial Planning Advisory Board signed by Mr. Hill, requesting the development, approval, requesting the approval for the registration of a plan for the whole of Sections 27, Township 52, Range 23, West of the 4th Meridian, and this approval was signed by Mr. Lash as Chairman of the Provincial Planning Advisory Board; now, in 1954 you were not yet Minister of Municipal Affairs?

A No, I was not.

Q Mr. Hooke, would you have any knowledge of this application or of the plan that was referred to in this application?

A None whatever, Mr. Maynard.

Q Do you know, well, that's fine.

Then in 1955 we have a further application, this time

3-B-17

A. J. Hooke - Maynard Ex.

Q (Cont.) by Mr. Usher, and I am referring to Exhibit number 264, applying for the, for approval for the registration of a subdivision plan involving part of the South West Quarter of Section 27, Township 52, Range 23, West of the 4th Meridian, which application was approved by Mr. Lash on June 15th 1955; have you any knowledge of this application?

A None whatever.

Q The application was signed by Weber Brothers Agencies as being the registered owners of the property at that time?

A Yes.

Q You don't recall it today?

A I don't recall it at all.

Q What I am concerned about particularly, Mr. Hooke, do you recall if the plan involving this particular subdivision was ever submitted to the Cabinet?

A Not to my knowledge, Mr. Maynard.

Q And consequently, if you don't recall it, you don't know whether the Cabinet gave any approval to this matter or not?

A No, I do not, no.

Q And at this time you were not Minister of Municipal Affairs?

A No, not at all.

Q I take it, I take you to Exhibit 265, Mr. Hooke, which is an application signed by Mr. Usher for the registration of a plan of subdivision involving the entire Section 27, Township 52, Range 23, West of the 4th Meridian, attached to which is a map, Exhibit 265A, this application involving the entire Section 27 was also approved by Mr. Lash, Director

3-B-18

A. J. Hooke - Maynard Ex.

Q (Cont.) of Town and Rural Planning, on June 22nd 1955; would you look at the map, the application is for the entire Section 27: do you recall Mr. Hooke, if this map and application were ever discussed by the Cabinet?

MR. GILL: Now -

MR. MAYNARD: I am sorry, the map is Exhibit 265A, Mr. Commissioner.

MR. GILL: Well now, Mr. Commissioner -

MR. MAYNARD: I am sorry, I withdraw the question.

MR. GILL: You will recall the very careful instruction you gave yesterday to counsel.

MR. MAYNARD: Yes, yes, I withdraw the question.

MR. GILL: Thank you.

Q MR. MAYNARD: Have you any knowledge of this map, Mr. Hooke?

A I don't believe I have.

MR. GILL: And not in the Cabinet room.

MR. MAYNARD: Pardon?

MR. GILL: And not arising from what went on in the Cabinet room.

Q MR. MAYNARD: I am asking him if he has any knowledge of the map?

A I don't recall at the moment.

Q And this map involves part of your land, the South West Quarter of Section 27 -

MR. GILL: The map is all of Section 27, Mr. Maynard.

3-B-19

A. J. Hooke - Maynard Ex.

Q MR. MAYNARD: Well, that is what the application says, all of Section 27; my specific question to you, Mr. Hooke, was the twenty acres at that time still retained by you at the time this application was made?

A What date was that?

Q June 1955, or had you already, I am sorry, the last Exhibit?

A Yes.

Q I also put before you Exhibit 463 and 464. My specific question to you is this: was the twenty acres still your own property at that time or had you also given this under option to anyone?

3-M-1

A. J. Hooke - Maynard Ex.

A I didn't give it under option until December 7th, '55.

Q And the particular twenty acres located in the southwest quarter, on this map, does not appear to be subdivided.

A That's right.

Q But it is indicated on the map as part of the entire section 27?

A Yes.

Q Mr. Hooke, could you look at this map and advise or indicate, if you can, whether the map covers anything more than section 27?

A No, it's just section 27.

Q Could I refer you now, then, to Exhibit 175. Exhibit 175 is the subdivision plan that is signed by you, A. J. Hooke, Minister of Municipal Affairs. Can you tell us, Mr. Hooke, whether this plan, Exhibit 175, covers more than only section 27?

A Oh, yes, definitely.

Q Could you indicate roughly how much more, whether it is a half-section more or a section more, or more than that?

A It looks to me as though it would be more than that.

Q Well -- more than what? It's more than a section, but how many sections more?

A It looks to me like about one and three-quarters.

Q One and three-quarter sections more than section 27 alone?

A Yes.

Q And at the time that you signed section -- Exhibit 175, you were Minister of Municipal Affairs then? That is --- .

3-M-2

A. J. Hooke - Maynard Ex.

A This one?

Q Yes.

A Yes.

Q And the note in the minutes reference indicates that you signed this as Minister of Municipal Affairs after discussion with the cabinet.

A Yes, that is right.

Q You were asked by Mr. Wright some questions relating to the sale of your land. It was pointed out that you --- you indicated that you had been offered earlier a thousand dollars, I think, for ten acres.

A A thousand per acre for ten acres.

Q I'm sorry, that is right: a thousand dollars an acre for ten acres, and also a thousand dollars an acre for another two-acre parcel that was in trees?

A That's right.

Q And later on you did accept an offer for \$500.00 an acre.

A That's right.

Q Now, Mr. Hooke, is it not correct that another manner in which you could have avoided the sale of your land for a townsite would have been to ask, say, \$20,000.00 an acre for it?

A I could have.

Q And of course, if you had, it would never have been sold.

A No, I'm sure that's right.

Q Do you know what price Mr. Smeltzer had optioned off his land for?

3-M-3

A. J. Hooke - Maynard Ex.

A I understand it started at about two hundred and fifty -- maybe a little higher than that.

Q Eventually it went higher on renewals?

A Yes.

Q So you were glad you had optioned off your land already for a higher price, even in the first option than Mr. Smeltzer had been offered?

A That's right.

Q And of course, if it had been unreasonable you could have defeated the proposition completely?

A Well, that is true.

Q And then, of course, you were still faced with the fact that the municipality still wanted you -- still wanted the area to be developed as a townsite.

A That's right.

Q So, in effect, Mr. Hooke, isn't it correct that in order to satisfy the municipality, you agreed to allow your land to go into the townsite?

A That is right, Mr. Maynard.

Q And in so doing you, of course, had to be reasonable in the price that you were asking for the entire quarter instead of for just a matter of two or ten acres?

A I believe that's true.

Q You were asked by Mr. Wright, Mr. Hooke, if you had ever discussed with me your option in connection with the Campbelltown townsite, or your property in Campbelltown. You remember this?

3-M-4

A. J. Hooke - Maynard Ex.

A Yes, I do.

Q And your answer was no?

A Right.

Q Mr. Hooke, did I ever do any legal work for you in connection with Campbelltown at any time?

A Not ever.

Q In connection with any of your associated companies, Ideal Homes or Beaver Land Development?

A Not ever.

Q In connection with Doral Development?

A Not ever.

Q Did I ever draw any papers for you, legal documents, conveyancing of any nature at any time?

A You never have, Mr. Maynard.

Q Maybe Mr. Wright will be satisfied. All right, thank you, Mr. Hooke. That's all I have, Mr. Commissioner.

THE COMMISSIONER: Mr. Gill, have you any questions arising out of the new exhibits that were put in?

MR. GILL: No, I haven't, sir.

THE COMMISSIONER: Mr. Bowen?

MR. BOWEN: No, sir.

THE COMMISSIONER: Mr. Wright?

MR. WRIGHT: Well, I haven't seen them.

THE COMMISSIONER: Exhibits 463 and '64.

MR. WRIGHT: Yes; well, I haven't seen them.

THE COMMISSIONER: Would you like to see them?

MR. WRIGHT: Yes -- I doubt if there will be any

3-M-5

A. J. Hooke -

MR. WRIGHT: (Cont.) questions, but -- .

THE COMMISSIONER: The Orderly can give them to you if you wish to -- . I haven't seen them myself.

MR. WRIGHT: Yes, my Lord.

THE COMMISSIONER: Just hand them to Mr. Wright in case there is anything -- .

MR. WRIGHT: Well, I won't hold proceedings up, if you will give me an opportunity ---. (Witness retires.)

THE COMMISSIONER: Now, Mr. Wright, I think this might be a point for you to renew that application you made with regard to examining Mr. Maynard. Would you just put it on the record, what your specific application is, and then we will dispose of that before we leave Heritage -- or -- not Heritage --- Sherwood Park.

MR. WRIGHT: Yes. In August of 1954, a rather crucial turning point in the Sherwood Park story occurred, namely, the leaving of the Edmonton District Planning Commission by the Municipal District of Strathcona, and it is plain from the evidence that Mr. Maynard, the Attorney General, had a crucial role in that, and this witness says he has no knowledge of what went on -- and even if he had it wouldn't make much difference; I think we are entitled to know how that came about, I submit.

THE COMMISSIONER: Mr. Maynard?

MR. MAYNARD: I have no objection to testifying on the matter, Mr. Commissioner.

THE COMMISSIONER: Mr. Clement? Have you anything to say?

3-M-6

L. Maynard - Wright Ex.

MR. CLEMENT:

My Lord, I have no observations.

If there are no objections raised I'm not going to raise any.

THE COMMISSIONER:

Well, are you ready now, Mr. Maynard?

We can dispose of that now, and then we can pass on to whatever next phase we are going into.

MR. MAYNARD:

I am ready. Shall I examine myself, sir?

THE COMMISSIONER:

I don't know; probably I will have to find a counsel for you, Mr. Maynard.

MR. CLEMENT:

Well, it's Mr. Wright's application, sir.

THE COMMISSIONER:

Yes. Mr. Wright, you can --- I think Mr. Maynard is probably quite capable of acting as his own counsel. At any rate, Mr. Maynard, you don't have to take your gown off.

(General laughter.)

LUCIEN MAYNARD, sworn, examined by Mr. Wright:

Q Just looking for the Ministerial Order, my Lord -- .

A I am familiar with it.

Q 188A. Mr. Maynard, 1954 is a long time ago but you have perhaps a clear memory of the incidents surrounding the leaving of the Edmonton District Planning Commission by the Municipal District of Strathcona, have you?

A No, Mr. Wright, I haven't. As a matter of fact, if you will recall earlier in these proceedings, I indicated, and I think I misled Mr. Gill in this respect -- that I thought I had signed, as acting Minister of Municipal Affairs, a

3-M-7

L. Maynard - Wright Ex.

A (Cont.) Ministerial Order.

Q Yes.

A And when it was indicated to me that you were looking for the Order-in-Council I suggested that you should look for a Ministerial Order.

Q Yes, I remember that.

A Well, it turned out that I was wrong and that in fact I had signed a recommendation for an Order-in-Council.

Q Yes; so you thought you had one clear memory which wasn't true in point of fact?

A That's right.

Q At that time. Can you remember calling up Mr. Gertler and speaking to him?

A No, I cannot.

Q Yes. Now, Mr. Gerhart was away at the time?

A Obviously.

Q Yes, and what discussions, if any, did you have with Mr. Lash about this?

A Mr. Wright, I can recall absolutely^{nothing}/concerning the Order-in-Council, except the fact that I remember having signed a document which obviously I was mistaken in, a few weeks ago. I cannot recall any discussions with Mr. Lash, Mr. Gertler, departmental officials -- .

Q Yes.

A -- or the officials of the Municipal District of Strathcona.

Q Yes. Who brought the Order-in-Council to you, do you know?

A I'm sorry.

3-M-8

L. Maynard - Wright Ex.

Q Who prepared it?

A Oh, that I do not know, but the Order-in-Council would have come to me from some official -- the application or the recommendation would have come to me from some official in the Department of Municipal Affairs because it was a municipal matter.

Q Can you remember discussing it with Mr. Morrison?

A I cannot.

Q Did you think it a fair thing to do, to sign such an important Order-in-Council in the absence of the minister?

A Mr. Wright, it is common practice when a minister is away for two or three weeks, for the acting minister to take over the administration of the department and act. If the minister is away only for a day or two, no.

Q But this was -- you recognized this, did you not, as an important matter?

A No, I considered it was routine.

Q You thought it was routine, eh? Did you know that the Edmonton District Planning Commission had been a baby of Mr. Gerhart's?

A No, I had no -- all I can say is that today I have no specific knowledge or particular knowledge today that at that time I thought so, no.

Q I see; in other words, your memory is now not clear at all?

A I'm sorry?

Q About those incidents.

A The only recollection I have is that I remembered in the

3-M-9

L. Maynard - Wright Ex.

A (Cont.) early part of the hearings having signed a document in connection with the withdrawal of Strathcona, and I thought it was a Ministerial Order, and on which I was wrong.

Q Have you any idea what Mr. Holloway is referring to when he puts in his diary about this time: "Maynard intervenes"?

A Well, "Maynard intervenes" -- I signed a recommendation for an Order-in-Council, and that's -- .

Q Well, if it was a routine signature by you as an acting minister, that would hardly be "intervention" in the ordinary colloquial sense, would it?

A Well, any person who signs -- any acting minister who signs a recommendation for an Order-in-Council on behalf of the acting minister is, in a sense, intervening.

Q Well, I suppose it's a matter of how you define the word, Mr. Maynard, but were you in fact the acting minister at the time?

A I have no doubt I was, Mr. Wright, even without looking it up; because if I would not have been, I would not have signed the order.

Q If you had signed the order and weren't, would it have been any good?

A That's a legal question.

Q Well, you were attorney general at the time.

A Well, I'm not attorney general now.

Q Can you remember anyone from the municipality talking to you?

A No, I cannot.

3-M-10

L. Maynard - Wright Ex.

Q Can you remember talking to Mr. Hooke at the time?

A No, I cannot.

Q And of course you were here when Mr. Gertler gave his evidence that you were --- that he called you on the 9th of August -- as you were -- that you called him on the 9th of August, and were quite critical of the action that Mr. Gertler had taken ---and you have no memory of that?

A The 9th of August of what year?

Q 1954.

A And that would be in connection with what, Mr. Wright?

Q Yes -- this is at page 1904 of the transcript, my Lord, and it is about the new plan that was brought in on Monday, the 9th of August, by Mr. Campbell -- introduced a new plan altogether, and Mr. Gertler says -- .

MR. CLEMENT: I think that is in connection with the resolution of the municipal district of that day, wasn't it?

MR. WRIGHT: No, not this. This is before the resolution, and the new plan is brought in on the 9th of August, and on the same day Mr. Gertler says:

"Q Thank you. About this time did you have any discussions with the then Attorney General Mr. Lucien Maynard?

A Mr. Maynard called me on August 9th" ---- the same day -- "and, as I recall, was quite critical of the action I had taken with respect to the Campbell application.

Q Well, Mr. Maynard called you after Mr. Campbell had

3-M-11

L. Maynard - Wright Ex.

MR. WRIGHT: (Cont.) brought in the limits" --- that doesn't read right there --

"A I believe so."

Do you recall the evidence?

A Mr. Wright, what day was the -- .

Q Order-in-Council?

A The recommendation for the Order-in-Council?

MR. CLEMENT: The 13th.

Q MR. WRIGHT: The 13th.

A The 13th of August.

Q It's after this.

A I have no recollection of this conversation.

Q So you can't gainsay or confirm it in point of fact?

A No, I have no recollection of it, Mr. Wright.

Q Yes. Had you any reason to be critical of Mr. Gertler's actions?

A Well, Mr. Wright, if I have no recollection -- .

Q No, that's a different question. You have no recollection of speaking to him about it, but had you any reason --- ?

A I have no recollection, Mr. Wright, of the incident at all, so how can I be critical of an incident which I have no recollection of?

Q I'm not asking whether you were critical in your talk, but were you critical of Mr. Gertler's actions?

A No, I can't recall what the action was, Mr. Wright, so I can't say I could be critical of it.

Q At any time have you been critical of Mr. Gertler's foot-

3-M-12

L. Maynard - Wright Ex.

Q (Cont.) dragging, as the municipal district thought it was, in connection with Campbelltown?

A Mr. Wright, I had nothing to do with Campbelltown except for the signing of the application as acting minister, for the withdrawal of the Municipal District of Strathcona. I was not Minister of Municipal Affairs during the Campbelltown period. I had ceased being Minister of Municipal Affairs in 1943.

Q Oh, here is the explanation, my Lord: the word "limits" should be "linens" it appears. Page 1904 the word "limits" is used, and 1905 "linens" and again 1906. The question on 1905:

"Q Yes, and Mr. Maynard was critical for you refusing to sign Mr. Campbell's linens" --- is what surely we all agree Mr. Gill asked -- and the answer was:

"A Yes."

You have no memory of that whatever?

A Absolutely none.

Q And in the intervening four days, Mr. Maynard, which will take us to the end of the week, have you any memory of doing anything or seeing anybody from the municipality?

A I have already answered, Mr. Wright: I have no recollection at all.

Q And did Mr. Gerhart talk to you about this when he came back?

A I have no memory of that. I do not recall.

Q At no time -- well, did he at any time express an opinion about what had happened when he had been away?

3-M-13

L. Maynard - Wright Ex.

A Not to my knowledge, not that I can recall now.

Q And Mr. Morrison never saw you -- the deputy -- about this?

A Well, Mr. Wright -- .

Q Later.

A Later?

Q Yes.

A I don't know about later. Someone from the Department of Municipal Affairs undoubtedly must have contacted me before I signed that recommendation for an Order-in-Council. Who it was, I do not know; but an acting minister does not sign a recommendation for an Order-in-Council without someone from the department involved submitting the proposal to him.

Q Yes. You were well acquainted with Mr. Hooke at this time?

A Oh, yes.

Q You knew his land was out there?

A At that time?

Q Yes, '54.

A I couldn't say.

Q Had you not been out to visit him there?

A Yes, but I don't know whether it was before or after '54.

Q I see. Well, you had a farm by this time yourself?

A Yes.

Q Weren't you interested in a fellow farmer in the cabinet?

A Oh, yes, yes.

Q But you can't remember whether you had been out there?

3-M-14

L. Maynard - Wright Ex.

A Oh, I was out there, definitely, but I can't recall -- .

Q By this time?

A I can't recall -- .

Q At any rate, you knew he had land out there?

A Oh, yes.

Q And did you know about this Campbelltown proposal at that time?

A Now, Mr. Wright, we are going a long ways back.

Q That's right.

A And I think there was some discussion of Campbelltown that came to my knowledge through the press or through personal contacts or through discussions. I have a vague idea of it, yes.

Q At any rate, so far as you were concerned this was a purely routine signature of an Order-in-Council by you, eh?

A That is right.

Q Nothing extraordinary or special about it?

A No.

THE COMMISSIONER: Mr. Gill?

MR. GILL: No questions, thanks.

THE COMMISSIONER: Mr. Clement?

MR. CLEMENT: No questions, thank you.

THE COMMISSIONER: Thank you, Mr. Maynard.

(Witness retires.)

THE COMMISSIONER: I think this might be a good point, Mr. Clement, to adjourn.

3-M-15

MR. CLEMENT: Yes.

THE COMMISSIONER: Have you anything else you wanted to bring forward today before we adjourn?

MR. CLEMENT: Pardon?

THE COMMISSIONER: Is there anything you wanted to bring forward today before we adjourn?

MR. CLEMENT: Unless, sir, you would like to take advantage of the few minutes for a discussion with counsel about our agenda.

THE COMMISSIONER: Yes. Well, we will -- . The only trouble is Mr. Bowen and Mr. Crawford are not here.

MR. CLEMENT: Oh, that's too bad.

MR. GILL: And Mr. Friedman.

THE COMMISSIONER: Mr. Friedman. Well, perhaps we could have a discussion when we adjourn tomorrow, and we will know pretty well where we are at.

MR. CLEMENT: Very well.

THE COMMISSIONER: At least we will know better where we are at. We'll adjourn then until tomorrow morning at nine o'clock.

(Adjourned at 12:55 p.m.)

